

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Wednesday, January 9, 1935.

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

Prayer by the Rev. Mr. Wood of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate:

Mr. HILL of South Portland: Mr. Speaker, I move that all of the resolves and petitions from item 32 to item 34 on the Calendar, both inclusive, be referred to the committee on Pensions in concurrence, without further reading by the Clerk.

Mr. RICHARDSON: of South Portland: Mr. Speaker, in relation to resolves numbers 61 and 71, being resolves for a State pension for Will Howard of Union I understand that the person has died and I move that both resolves be indefinitely postponed.

The SPEAKER: Will the gentleman from South Portland, Mr. Hill, withdraw his motion temporarily in order that we may dispose of items 43 and 53?

(Motion temporarily withdrawn)

Thereupon, on motion by Mr. Richardson of South Portland, a viva voce vote being taken, the resolves numbered 61 and 71, relating to Will Howard were indefinitely postponed.

Thereupon, Mr. Hill of South Portland renewed his motion that these resolves be referred to the committee on Pensions in concurrence without reading by the Clerk, and the motion prevailed.

The following bills and resolves were presented and upon recommendation of the committee on Reference of Bills were referred to the following committees:

**Agriculture**

An act to create a Milk Control Board (H. P. No. 36) (Presented by Mr. Crowell of Weston).  
(1000 copies ordered printed).

**Inland Fisheries and Game**

Resolve for screening Lake Thompson, in the county of Oxford

(H. P. No. 37) (Presented by Mr. Heald of Lovell).

(500 copies ordered printed).

**Judiciary**

An act relating to penalty for operating motor vehicle while under the influence of intoxicating liquor or drug (H. P. No. 38) (Presented by Mr. Bubar of Blaine).

(500 copies ordered printed).

An act relating to fees for registration of motor vehicles (H. P. No. 39) (Presented by Mr. Clarke of Cooper).

(500 copies ordered printed).

**Ways and Bridges**

An Act relating to snow removal on R. F. D. routes (H. P. No. 40) (Presented by Mr. Russ of Woodstock).

(500 copies ordered printed).

Resolve in favor of the town of Bridgewater (H. P. No. 41) (Presented by Mr. Bubar of Blaine).

Resolve in favor of the town of Mars Hill (H. P. No. 42) (Presented by same gentleman).

Resolve in favor of the town of Blaine (H. P. No. 43) (Presented by same gentleman).

Resolve in favor of the town of Monticello (H. P. No. 44) (Presented by same gentleman).

Resolve in favor of the town of Fairfield (H. P. No. 45) (Presented by Mr. Davis of Fairfield)

Resolve in favor of the town of Fairfield (H. P. No. 46) (Presented by same gentleman).

Resolve in favor of the town of Smithfield (H. P. No. 47) (Presented by same gentleman).

Resolve in favor of the town of Mercer (H. P. No. 48) (Presented by same gentleman).

Resolve in favor of the town of Woodstock (H. P. No. 49) (Presented by Mr. Russ of Woodstock).

Resolve in favor of the Milton Plantation (H. P. No. 50) (Presented by same gentleman).

Resolve in favor of the town of Paris (H. P. No. 51) (Presented by same gentleman).

Resolve in favor of the town of Paris (H. P. No. 52) (Presented by same gentleman).

Resolve in favor of the town of South Berwick (H. P. No. 53) (Presented by Mr. Vaughan of So. Berwick).

Resolve in favor of the town of Berwick (H. P. No. 54) (Presented by same gentleman).

Resolve in favor of a Highway

from Bangor to Rockland (H. P. No. 55) (Presented by Mr. Harriman of Prospect).

Resolve in favor of the town of Cape Elizabeth (H. P. No. 56) (Presented by Mr. Philbrick of Cape Elizabeth).

Resolve in favor of the town of Brunswick (H. P. No. 57) (Presented by Mr. Lebel of Brunswick).

Resolve in favor of the town of Athens (H. P. No. 58) (Presented by Mr. Wright of Madison).

Resolve in favor of the town of Athens (H. P. No. 59) (Presented by same gentleman).

#### Orders

(On motion by Mrs. Kilroy of Portland, it was voted that the rule in regard to smoking be suspended during the remainder of today's session) Applause.

On motion by Mr. Crowell of Weston, it was

ORDERED, that the Secretary of State be requested to furnish for the use of the members of the House one hundred and sixty copies of the list of Legislative Agents registered in his Department at the beginning of the third week of this session, and that accumulative lists be furnished the first of each week during the remainder of the session.

Mr. Lebel of Brunswick presented the following order and moved that it be tabled for printing:

ORDERED, the Senate concurring, that: In order for the members to be better informed of the public sentiment on many of the important matters expected to come before them at this session, the following questionnaire be prepared for the use of members in determining the attitude of their constituents.

1. Are you in favor of a One-Man Full-Time Highway Commission?

2. Are you in favor of changing the date of the Biennial Election from September to November? (Estimated saving to State, \$30,000)

3. Are you in favor of an amendment to the Constitution providing for the issuance of bonds for the purpose of creating a State Self-Insurance Fund which would eliminate the cost of insurance of State property? (Estimated saving

to State, thirty-five to forty thousand dollars)

4. Are you in favor of the proposed bill reducing the cost of automobile registration fees in Maine?

5. Do you favor any great change in the Primary law, or do you favor changing the Primary to the Convention system?

6. Do you favor submission to the people of the proposed amendment to the Constitution changing the Legislature to a One-House system, simplifying the legislative branch of government and reducing to a minimum all political interference with good government? (Estimated saving to State, \$50,000)

7. Do you favor transfer of part of the property tax burden to some other form of taxation?

8. Do you favor a Sales Tax?

9. Do you favor an income tax?

10. Do you favor a tax on intangible property? (Bonds, Savings, etc.)

11. Would you favor a "Privilege" tax?

12. Do you favor elimination of roadside advertising in the interest of our tourist trade?

13. Do you favor passage of an enabling act providing for the purchase of a large tract of forest land in Maine by the Federal Government for the establishment of a National Forest Park?

14. Are you in favor of legal betting in Maine as a means of raising revenue?

15. Do you favor revision of the recently enacted liquor laws to provide for the use of revenue from the sale of liquors for old age retirement?

16. Do you approve of the proposed act providing for cooperation by the State with the Federal Government in the development of airports and encouraging of aviation in Maine?

17. Do you approve of some action on the part of the Eighty-seventh Legislature urging the President and Congress to act favorably on the Quoddy project?

18. Do you approve of the recommendations of the Maine Public School Finance Commission?

19. Do you favor further retrenchment in State expenditures?

20. Do you favor the passage of an act creating non-salaried commission on Interstate compacts for the purpose of cooperating with other States in the enactment and coordination of labor laws, regula-

tion of hours of labor, minimum wages, et cetera?

The State Printer is hereby directed to prepare for the use of members of the Eighty-seventh Legislature 10,000 copies of the foregoing questionnaire, either in double post-card or letter and return envelope form, whichever is most practical, properly franked and addressed to the Eighty-seventh Legislature, same to be charged to legislative expense. The questionnaire shall be in printed form and contain a "Yes" and "No" square after each question listed, provide for the signature of the legal voter filling in same together with his or her place of residence, and a notation requesting that the questionnaire be answered and returned promptly on receipt. The Speaker of the House and the President of the Senate shall appoint immediately on passage of this order a committee of five from the House with such as the Senate may join for the purpose of receiving, counting and tabulating the returns on the questionnaire. The committee shall each week prepare and submit to the Clerk of the House and to the Secretary of the Senate a return of the vote to date on all the questions submitted, and said Clerk and Secretary shall read to the membership as early after convening as possible each week the returns made to them by the committee.

Mr. TUPPER of Calais: Mr. Speaker, I move that when we vote on the tabling of the order, we have a division.

The SPEAKER: A division of the House is called for. Is there any debate? If not, all those who are in favor of the motion of the gentleman from Brunswick, Mr. Lebel, that the order be tabled, pending the printing of 500 copies, will stand and the monitors will make and return the count.

Mr. RICHARDSON of South Portland: Mr. Speaker, will you please state that motion again? Some of us do not understand it.

The SPEAKER: The question before the House is on the motion of the gentleman from Brunswick, Mr. Lebel, that the order lie on the table and that 500 copies of the same be printed, and the gentleman from Calais, Mr. Tupper, has asked for a division of the House on the vote. All those who are in favor of the motion of the gentleman from Brunswick, Mr. Lebel, will rise and stand until counted and the moni-

tors will make and return the count.

A division of the House was had, 48 voting in the affirmative and 84 in the negative the motion to table failed of passage.

The SPEAKER: The question is on the passage of the order, and the Chair recognizes the gentleman from Calais, Mr. Tupper.

Mr. TUPPER: Mr. Speaker, I now move that this order be indefinitely postponed.

Mr. HILL of South Portland: Mr. Speaker, this order, introduced by the gentleman from Brunswick (Mr. Lebel) is something of a new proposition, I think, here. Apparently the gentleman desires to conduct some kind of a wholesale referendum throughout the State upon most of the important matters that are expected to be brought before this Legislature during its session. This would no doubt involve a considerable expense for the State to print these questionnaires. It seems to me that each member of the House can ascertain to his own satisfaction public sentiment on these measures without putting the State to this expense. It looks to me like an effort of members of the Legislature who have been sent here to assume some responsibility to "pass the buck" to the people and conduct a referendum on all these questions. I hope that the motion of the gentleman from Calais, Mr. Tupper, that this order be indefinitely postponed will prevail.

Mr. LEBEL of Brunswick: Mr. Speaker and members of the House: I am not at all surprised that the order which you are about to kill is going to suffer a political death. This is as plain as daylight and it has happened before. Mr. Speaker, I simply ask for the privilege of courtesy here this morning, the privilege of tabling this order to find out the figures on it.

Now the people back home would welcome an opportunity to vote on some of these questions, but as you do not know just how they would vote, you hate to face the facts. Mr. Speaker and members of the House, I had some hope when I came here at this session that there would be a little more cooperation and that we might pull together; but if you want to keep on playing politics, go ahead. There is no reason why my friend from Calais, Mr. Tupper, should attempt to prevent my tabling this order except by reason of political affiliations. I hope, Mr. Speaker, that the motion to kill the

order fails of passage. I would like to see it tabled.

The SPEAKER: The question is on the motion of the gentleman from Calais, Mr. Tupper, to indefinitely postpone the order. Are you ready for the question? All those in favor of the indefinite postponement of the order will say aye, contrary-minded no.

A viva voce vote being taken, the order was indefinitely postponed.

Paper from the Senate, out of order, disposed of in concurrence.

Mr. Desmond of Portland presented the following order and moved its passage:

Ordered, that the Governor and Council are hereby requested and ordered to immediately take steps to increase the efficiency of the service at the Portland Liquor Stores by the increase of employees, or any other method that may be necessary.

Mr. DESMOND: Mr. Speaker, I would like to make a few remarks relative to the conditions prevailing in the city of Portland. As I understand it, there is inefficiency there. It takes from thirteen to fifteen minutes for the average customer to be taken care of. I know years ago when I was employed by the American Express Company that a man who took over five minutes in servicing a customer got a job in the stable. Now seventy-five per cent of the people who patronize the liquor stores in Portland, it is said, are from places outside the city. They come in there and have to stand in line for hours and in the climate we have to contend with at this time of the year, their health is thereby endangered, and there are men walking the streets of Portland idle who could be hired and given employment by the State, the service could be speeded up and the employment situation relieved. Under the conditions as they prevail today, bootleggers are in a position where they can ob-

tain business by charging probably twenty-five to fifty cents a bottle more, with the better element of citizens sending to Boston for their liquor and paying more than the charges in Maine. The result is that Massachusetts gets the tax instead of the State of Maine.

I have investigated and I know the conditions and know what I am talking about, and I think it is about time for the liquor stores to show some efficiency. When people have to stand in line from half an hour to two hours in these severe conditions of winter climate, it seems to me that the matter should be corrected, so that the liquor stores will not get a black eye. If Maine is in the liquor business, there is no reason why it should not get the full benefit of taxed liquors, instead of Massachusetts. I move that the order be referred to the Governor and Council to see that this service in the liquor stores be speeded up.

The SPEAKER: The gentleman from Portland, Mr. Desmond, moves that the order receive passage.

Mr. DENNETT of Sebago: Mr. Speaker, what the gentleman from Portland (Mr. Desmond) has said, it seems to me, is that it is a long time between drinks.

Mr. BURNHAM of Kittery: Mr. Speaker, I move the indefinite postponement of the order.

Mr. TUPPER of Calais: Mr. Speaker, I move that the order lie upon the table.

The SPEAKER: The gentleman from Calais, Mr. Tupper, moves that the order lie on the table. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the order was tabled pending passage.

On motion by Mr. Connolly of Portland,

Adjourned until ten o'clock tomorrow morning.