

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

Tuesday, January 22, 1935.

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

Prayer by the Rev. Mr. Porter of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act relative to resident fishing and hunting licenses, S. P. No. 132 and

Bill an act relating to rules and regulations of the Commissioner of Inland Fisheries and Game, S. P. No. 133.

Come from the Senate referred to the committee on Inland Fisheries and Game.

In the House, referred to the committee on Inland Fisheries and Game in concurrence, and on motion by Mr. Ellis of Rangeley 500 copies of each were ordered printed

Communication from the Department of State

STATE OF MAINE

**DEPARTMENT OF STATE
AUGUSTA**

January the twenty-second,

Nineteen hundred thirty-five.
To the Clerk of the House of Representatives of the Eighty-seventh Legislature of the State of Maine:

Acting under a House order, dated March thirty-one, nineteen hundred and thirty-three, I have the honor to submit the result of an investigation relative to the manufacture or purchase of motor vehicle number plates.

(Signed) LEWIS O. BARROWS,
Secretary of State.

Mr. HILL of South Portland: Mr. Speaker, I move that the communication and the accompanying report be received and placed on file.

Mr. SAWYER of Brunswick: Mr. Speaker, I would move that the report be accepted, and that 500 copies be printed.

The SPEAKER: The Chair will state for the benefit of the gentleman from Brunswick (Mr. Sawyer) that his motion to print is in or-

der, but his motion to accept is not in order. The Chair assumes that the gentleman from Brunswick (Mr. Sawyer) desires to move that 500 copies of this report be printed. Is that correct?

Mr. SAWYER: It is, Mr. Speaker.
The SPEAKER: The question before the House is on the motion of the gentleman from Brunswick, Mr. Sawyer, that five hundred copies of this report be printed. The Chair recognizes the gentleman from South Portland, Mr. Hill.

Mr. HILL: Mr. Speaker, I rise to oppose the motion of the gentleman from Brunswick (Mr. Sawyer) that this report be printed, but think it is perhaps proper that some explanation be made as to the situation with which we are here confronted.

In the Eighty-sixth Legislature an order was introduced and passed directing the Secretary of State to investigate the advisability of having automobile registration plates manufactured at the State Prison, and in pursuance of that order the Secretary of State has investigated the systems employed in other states and has made an elaborate and complete report which he has transmitted to the House. In that report the Secretary of State points out that the cost of setting up the equipment in the State Prison necessary to manufacture the number plates will amount to some twenty thousand dollars; that it would take six or eight years to work off the expense of that initial outlay, and that by that time some of the equipment would have to be replaced and some would be obsolete. This would be an expense rather than a saving to the State of Maine, and he has pointed out in his report that in view of all the information which he has been able to gather he cannot find that there would be a saving to the State.

Now the gentleman from Brunswick (Mr. Sawyer) moves that the report be printed. The report, as I have said, is long and extended and the State Printer estimates that it would cost fifty dollars to have this report printed. If the report were favorable, that might be one consideration; but as I scan the report I can find nothing in it to indicate that the Secretary of State believed it advisable to proceed with the contemplated action. In view of that fact I hope that

the motion of the gentleman from Brunswick (Mr. Sawyer), will not prevail.

Mr. LEBEL of Brunswick: Mr. Speaker and members of the House. I am a bit surprised to find that my colleague from South Portland (Mr. Hill) is so well versed on this report. As I understand, the report has only been transmitted to the House a matter of three or four hours. The gentleman from South Portland, Mr. Hill, has pointed out one side of the story. Now the Secretary of State has made a very extensive survey, and that survey shows that thirty-four out of the forty-eight states, also the District of Columbia, now manufacture their own automobile plates. Now it seems to be, inasmuch as the Secretary of State has made this exhaustive report, we should at least give it the consideration of a reading. If it is simply placed on file, I do not see how the members of the House will have much chance to see it for they will not take it off the files and look at it. When thirty-five out of forty-eight states do something like this there must be a reason for it. This not only involves the matter of cost, but there are people in the State Prison who do not know what to do with their time and it would be a very good proposition to keep them busy a part of the time. So far as the cost goes, the Secretary of State told you last session that it would save as much as eighteen thousand dollars a year. I have inquired through the Interstate Reference Bureau and it would seem that we can install machinery for producing the plates for about fifteen thousand dollars and the same machinery could also be used to manufacture roadside signs, road indicators and so on. It seems to me that this printing will put the thing before you to study and to know what it is all about. The Secretary of State has communications from everyone of the forty-eight states and I think the matter deserves more attention than merely placing it on file. Plenty of bills come in here which cost more than fifty dollars to print and we have had other reports come in that have been printed. I am speaking particularly to the new members who come here fresh from the people. Now we have had several reports come in and all have been printed and

it is purposed that this one should not be printed. I appeal to you new members who have come here and who intend to be impartial. You have told your people that you were coming here for the definite good of the State. Now think over this situation before you turn this proposition down. I agree with my colleague (Mr. Hill) that it is an extensive report and for that very reason I think it deserves attention which it can only get by being printed. I hate very much to disagree with my colleague from South Portland, Mr. Hill.

Mr. HILL: Mr. Speaker, I think it would be of assistance to the members of the House before they vote on this question if the Clerk would read page ten of the report which summarizes the whole thing.

The SPEAKER: The Clerk will read.

(Page ten read by the Clerk.)

Mr. SAWYER of Brunswick: Mr. Speaker. I know nothing about this subject except what I have heard since I came in here and perhaps in conversation prior to coming in; but from the nature of the report, the nature of the inquiry and the amount involved, it seems to me that the members of this House are entitled to an investigation of their own, and are entitled to follow out the data and references in that report and inform themselves thoroughly before taking action or relegating to the junk heap such an important matter concerning the expenditure of so much money in the State of Maine. It may be, perhaps, that thirty-four states adopting this plan have not done the best thing, but by the very fact that a majority of the states have adopted this plan it would seem to indicate that we should look into the matter more thoroughly and come to our own conclusions.

Mr. HILL: Mr. Speaker, I think the gentleman from Brunswick (Mr. Sawyer) perhaps misunderstands the situation a little when he speaks of the report being relegated to the junk heap. I have not heard any such proposition advanced here even though it is not printed. The motion is that it be placed on file, and I assume if that were done the report would be available to the inspection of the gentleman or to the inspection of any other member of the House who might be interested in it at any time.

The SPEAKER: Are you ready for the question?

Mr. LEBEL: Mr. Speaker, may I inquire if it would be possible to have the report mimeographed?

The SPEAKER: The gentleman from Brunswick (Mr. Lebel) inquires through the Chair if it would be possible to have the report mimeographed. Anybody may answer who knows. Do you wish the Clerk to answer the question?

Mr. LEBEL: Yes.

The SPEAKER: The Clerk will attempt to answer the question of the gentleman from Brunswick (Mr. Lebel) if he so desires.

(The Speaker confers with the Clerk.)

The SPEAKER: The Clerk informs me that it would be possible to produce a mimeograph of this report from his office, but as to the cost he is not certain. He also says that he cannot reproduce the cuts that accompany the report.

Mr. LEBEL: Mr. Speaker, the way I understand it the cuts are simply letters in support of the report and are not a part of the report itself. I am asking whether it is possible to have the mimeograph of the report itself.

The SPEAKER: The Clerk has no voice in our proceedings. If there is any member of the House who has any idea about the cost, he may answer if he cares to.

Mr. LEBEL: Mr. Speaker, since nobody seems to know I move that the matter lie on the table until I have an opportunity to find out whether it can be mimeographed at a reasonable cost.

The SPEAKER: The gentleman from Brunswick, Mr. Lebel, now moves that the report and accompanying papers lie on the table pending the motion to print.

Mr. HILL: Mr. Speaker, I ask for a division on the gentleman's motion to table.

Mr. SCATES of Westbrook: Mr. Speaker, I hope—

The SPEAKER: This is a motion to table and is not debatable.

Mr. SCATES: I rise to a matter of personal privilege.

The SPEAKER: You may state your question of privilege.

Mr. SCATES: Mr. Speaker, personally I had hoped that this House would not at the very beginning prevent the tabling of any matter when it is so desired. It has been the practice of this House ever since I have been connected with it—

Mr. HILL: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from Westbrook, Mr. Scates, is undertaking to debate a motion to table which under the Rules is not debatable. The gentleman is not speaking on a question of privilege.

Mr. SCATES: If such action is not to be allowed, I shall ask for a division and a roll call on every motion of that kind.

The SPEAKER: The Chair will rule that the gentleman from Westbrook (Mr. Scates) is out of order upon this point of personal privilege.

Mr. LEBEL: Mr. Speaker, may I ask permission of the House to withdraw my motion to table.

(Permission being granted, the motion to table was withdrawn.)

The SPEAKER: The question now is on the motion of the gentleman from Brunswick, Mr. Sawyer, to print five hundred copies of this report.

Mr. LEBEL: Having withdrawn my motion to table, I now yield to the gentleman from Westbrook, Mr. Scates, if he wishes to speak on the question.

The SPEAKER: The Chair would inform the gentleman from Brunswick (Mr. Lebel) that he cannot yield the floor to another member of the House, but the Chair will recognize the gentleman from Westbrook, Mr. Scates.

Mr. SCATES: Oh, why draw me into this thing! I do not know much about it and I care less; but if I may be permitted to continue what I intended to say, it has always been the practice of this House when anyone wanted to table a matter to grant that privilege, the supposition being that the member wants to look into the matter and see whether he wants to oppose it or not. It has always been considered discourteous for any member to take a bill from the table that someone else has tabled. If we are going to abandon this practice, let's know it at the start because there may be some bills come up that I may want to table for investigation, and I will want to know whether you are going to oppose me in every instance. I think it is puerile to think of denying any member the privilege of tabling a matter for him to find out something about it. It is unfair; it is not just. Now let us be courteous and conduct things here in the ordinary manner. No

matter how strictly I might be opposed to a bill, I have never objected to its being tabled, but let us know at the very outset whether that rule or that courtesy is going to be granted.

Mr. LEBEL: Mr. Speaker, I move that the report lie on the table pending printing.

Mr. HILL: Mr. Speaker, I renew my request for a division of the House.

Thereupon a division of the House was had.

Forty-seven voting in the affirmative and 76 in the negative the motion to table failed of passage.

The SPEAKER: The question is on the motion of the gentleman from Brunswick, (Mr. Sawyer) to print. All those in favor will say aye, contrary-minded, no.

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

Thereupon the report was received and ordered placed on file.

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

Agriculture

An act concerning the production and distribution of milk, creating a Milk Marketing Board and defining its powers and duties (H. P. No. 289) (Presented by Mr. Woodbury of Morrill)

(1000 copies ordered printed)

Claims

Resolve in favor of Poisson and Fortin, of Lewiston (H. P. No. 290) (Presented by Mr. Boucher of Lewiston)

Resolve to reimburse town of Howland for assistance to William A. Sanders, a State pauper (H. P. No. 291) (Presented by Mr. Worthen of Corinth)

Resolve in favor of Robert H. W. Lowell (H. P. No. 292) (Presented by Mr. Smith of Bangor)

Resolve in favor of Georgie Bridges of Verona (H. P. No. 293) (Presented by Mr. Devereux of Penobscot)

Resolve in favor of Lang Plantation (H. P. No. 294) (Presented by Mr. Ellis of Rangeley)

Resolve in favor of Guy B. Durrell (H. P. No. 295) (Presented by same gentleman)

Resolve to reimburse the town of Freeman for support of Blyn R. Mace and family, having no known settlement in the State (H. P. No.

296) (Presented by same gentleman)

Resolve in favor of Roscoe L. York of Medway, Maine (H. P. No. 297) (Presented by Mr. McKay of Drew)

Inland Fisheries and Game

An act relative to trapping in York County (H. P. No. 298) (Presented by Mr. Wentworth of Kennebunk)

(500 copies ordered printed)

Resolve regulating smelt fishing in Swan Lake (H. P. No. 299) (Presented by Mr. Payson of Brooks)

Judiciary

An act to amend the Primary Election Law, by providing for an Advisory Convention in the selection of party candidates for Governor and of the nomination of all candidates for county office except State Senators in county conventions (H. P. No. 316) (Presented by Mr. Tupper of Calais)

(On motion by Mr. Hill of South Portland, tabled pending reference to a committee and 1,000 copies ordered printed)

Legal Affairs

An act to amend the charter of the Eliot & Kittery Mutual Fire Insurance Company (H. P. No. 301) (Presented by Mr. Burnham of Kittery)

(500 copies ordered printed)

An act relating to discharge of firearms across highways while hunting (H. P. No. 302) (Presented by Mr. Davis of Newfield)

(500 copies ordered printed)

An act relating to intoxicated persons carrying loaded guns, while hunting (H. P. No. 303) (Presented by Mr. Davis of Newfield)

(500 copies ordered printed)

An act to incorporate the Town of Bucksport School District (H. P. No. 304) (Presented by Mr. Devereux of Penobscot)

(500 copies ordered printed)

An act to extend charter of Hinckley Development Company (H. P. No. 300) (Presented by Mr. Smith of Bangor)

Pensions

Resolve providing for a State pension for Lucy M. Judkins of Norridgewock (H. P. No. 305) (Presented by Mr. Jillson of Anson)

Resolve providing for a State pension for Harriet E. Skillings (H. P. No. 306) (Presented by Mr. Roach of New Gloucester)

Resolve providing for a State pension for Ella M. Hapworth of

Eddington (H. P. No. 307) (Presented by Mr. Ryder of Orrington).

Resolve providing for a State pension for Albert E. Varnum of Penobscot (H. P. No. 308) (Presented by Mr. Devereux of Penobscot).

Resolve providing for a State pension for Bessie C. Ranlett of Auburn (H. P. No. 309) (Presented by Mr. Flanders of Auburn).

Resolve providing for a State pension for Jabez F. Pratt of Auburn (H. P. No. 310) (Presented by same gentleman).

Resolve providing for a State pension for Ada B. Massure of Winterport (H. P. No. 311) (Presented by Mr. Harriman of Prospect).

Resolve providing for a State pension for Ashley J. Keene of Canaan (H. P. No. 312) (Presented by Mr. Lancaster of Canaan).

Resolve providing for a State pension for Emma J. Lane of Readfield (H. P. No. 313) (Presented by Mr. Newton of Readfield).

Salaries and Fees

An act relating to fees of jurors (H. P. No. 314) (Presented by Mr. Burrill of Lisbon).

(500 copies ordered printed).

Sea and Shore Fisheries

An act relating to rebate on gasoline tax to lobster fishermen (H. P. No. 288) (Presented by Mr. Drisko of Jonesboro).

(500 copies ordered printed).

Ways and Bridges

Resolve in favor of the town of Smithfield (H. P. No. 315) (Presented by Mr. Davis of Fairfield).

Resolve in favor of the town of Woolwich (H. P. No. 251) (Presented by Mr. Allan of Topsham).

Resolve in favor of the town of Phippsburg (H. P. No. 252) (Presented by same gentleman).

Resolve in favor of the town of Newport (H. P. No. 253) (Presented by Mr. Austin of Exeter).

Resolve in favor of the town of Exeter (H. P. No. 254) (Presented by same gentleman).

Resolve in favor of the town of Rockport (H. P. No. 255) (Presented by Mr. Ayer of Union).

Resolve in favor of the town of Washington (H. P. No. 256) (Presented by same gentleman).

Resolve in favor of the town of Union (H. P. No. 257) (Presented by same gentleman).

Resolve in favor of the town of

Warren (H. P. No. 258) (Presented by same gentleman).

Resolve providing for the rebuilding of a bridge in the town of Wells (H. P. No. 259) (Presented by Mr. Bragdon of Wells).

Resolve in favor of the town of Westbrook (H. P. No. 260) (Presented by Mr. Brown of Westbrook).

Resolve in favor of the town of Lisbon (H. P. No. 261) (Presented by Mr. Burrill of Lisbon).

Resolve in favor of the town of Lisbon (H. P. No. 263) (Presented by same gentleman).

Resolve in favor of the town of Palmyra (H. P. No. 263) (Presented by Mr. Cook of Pittsfield).

Resolve in favor of the town of Cornville (H. P. No. 264) (Presented by same gentleman).

Resolve in favor of the town of Pittsfield (H. P. No. 265) (Presented by same gentleman).

Resolve in favor of the town of Houlton (H. P. No. 266) (Presented by Mr. Crowell of Weston).

Resolve in favor of the town of Haynesville (H. P. No. 267) (Presented by same gentleman).

Resolve in favor of the town of Weston (H. P. No. 268) (Presented by same gentleman).

Resolve in favor of the town of Hodgdon (H. P. No. 269) (Presented by same gentleman).

Resolve in favor of Jay (H. P. No. 270) (Presented by Mr. Dow of Jay).

Resolve in favor of the town of Skowhegan (H. P. No. 271) (Presented by Mr. Doyle of Skowhegan).

Resolve in favor of the town of Machiasport (H. P. No. 272) (Presented by Mr. Drisko of Jonesboro).

Resolve in favor of the town of Brooksville (H. P. No. 273) (Presented by Mr. Gray of Brooksville).

Resolve in favor of the town of Willimantic (H. P. No. 274) (Presented by Mr. Hescoek of Monson).

Resolve in favor of the town of Shirley (H. P. No. 275) (Presented by same gentleman).

Resolve in favor of Chesuncook Plantation (H. P. No. 276) (Presented by same gentleman).

Resolve in favor of the town of Greenville (H. P. No. 277) (Presented by same gentleman).

Resolve in favor of the town of Norridgewock (H. P. No. 278) (Presented by Mr. Jillson of Anson).

Resolve in favor of the town of

Norridgewock (H. P. No. 279) (Presented by same gentleman)

Resolve in favor of State Road No. 11, in Wallagrass Plantation (H. P. No. 280) (Presented by Mr. Labbee of Wallagrass)

Resolve in favor of the city of Old Town (H. P. No. 281) (Presented by Mrs. Latno of Old Town)

Resolve in favor of the town of New Portland (H. P. No. 282) (Presented by Mr. MacKenzie of Jackman)

Resolve in favor of the town of Freeport (H. P. No. 283) (Presented by Mr. Patterson of Freeport)

Resolve in favor of the town of Monroe (H. P. No. 284) (Presented by Mr. Payson of Brooks)

Resolve in favor of the town of Swanville (H. P. No. 285) (Presented by same gentleman)

Resolve in favor of the town of Gray (H. P. No. 286) (Presented by Mr. Roach of New Gloucester)

Resolve in favor of the town of Edgcomb (H. P. No. 287) (Presented by Mr. Stiphen of Dresden)

Orders

Mr. Jillson of Anson presented the following order and moved its passage.

ORDERED, that the Secretary of State be directed to provide the members of the House, Clerk of the House and Assistant Clerk of the House with suitable distinctive automobile number plates for the years 1935 and 1936.

The costs of said automobile number plates shall each year be borne by the individual members of the House, the Clerk of the House and the Assistant Clerk of the House and shall be issued by the Secretary of State to the House Members, Clerk of the House and Assistant Clerk of the House upon condition that they are holders of the regular State automobile number plates.

Further, that the Speaker of the House appoint an advisory committee of three members of the House to confer with the Secretary of State in the matter of design of said automobile number plates.

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

Mr. JACOBSON of Portland: Mr. Speaker, I will have something to say before we come to a vote upon that.

The SPEAKER: The Chair will state that a motion to table is not debatable. The question before the House is on the motion of the gentleman from Calais, Mr. Tupper, that the order lie on the table.

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

The SPEAKER: The question now is on the passage of the order. All those in favor of the passage of the order will say aye, contrary-minded, no.

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

The SPEAKER: The Chair will appoint the committee later.

Orders of the Day

Mr. ELLIS of Rangeley: Mr. Speaker, I move that we reconsider our action whereby we referred bill an act relating to the discharge of firearms across highways while hunting, H. P. No. 302 to the committee on Legal Affairs.

Mr. DAVIS of Newfield: Mr. Speaker, this bill I put in at the instigation of the Fish and Game Department and I think that they considered it very thoroughly prior to asking me to place it in the hopper. Conditions in the rural districts are such that there is considerable danger in this direction, I think particularly in York and Cumberland counties. I know that the Fish and Game Department are particularly anxious that this bill should go through in order to prevent accidents. We are all familiar with what happened in Massachusetts, and we do not want anything like it to happen in Maine.

Mr. ELLIS: Mr. Speaker, my object in reconsidering was to table it so that we should decide what committee it should be referred to.

The SPEAKER: Are you ready for the question? All those in favor of reconsidering our action whereby this bill was referred to the committee on Legal Affairs say aye, contrary-minded, no.

A viva voce vote being taken, the House voted to reconsider its action, and on further motion by the same gentleman the bill was tabled, pending reference, and 500 copies ordered printed.

On motion by Mr. Ellis of Rangeley the House voted to reconsider its action whereby it referred bill an act relating to intoxicated persons carrying loaded guns, while hunting, H. P. No. 303 to the committee on Legal Affairs; and on further motion by the same gentleman the bill was tabled pending reference and 500 copies ordered printed.

On motion by Mrs. Currier of Bangor,

Adjourned until ten o'clock tomorrow morning.