

# 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**

Friday, February 22, 1935.

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

Prayer by the Rev. Dr. Wood of Augusta.

Journal of the previous session read and approved.

On motion by Mr. Flanders of Auburn, the rules were suspended and that gentleman was permitted to present, out of order bill an act relating to the payment of excise taxes by foreign corporations. (H. P. 1460)

Bill read by the Clerk.

On further motion by Mr. Flanders of Auburn the bill was received by unanimous consent.

The SPEAKER. The Chair is informed that mimeographed copies of this bill are on the desks of the members.

The Chair recognizes the gentleman from Auburn, Mr. Flanders.

Mr. FLANDERS: Mr. Speaker, ladies and gentlemen: The present law of 1931 provides, as I understand it, that the money paid to municipalities goes to the State. This bill is to clarify that law so that the money shall go to the municipalities instead of to the State. I will say that our city solicitor and our tax collector went over this matter very carefully with the Attorney-General and it has his approval; in fact he assisted in writing the bill. He said he would be glad to come before the Legislature and explain the situation, if necessary. As you can all see this would mean a loss to the municipalities, and as I said, this bill is to clarify the situation so that the municipalities may receive the money. I move, Mr. Speaker, that the rules be suspended and this bill be given its three readings at this time, without reference to any committee.

The motion prevailed, and the bill had its three several readings under suspension of the rules, and was passed to be engrossed without reference to any committee; and on further motion by the same gentleman the bill was sent up for concurrence.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they

adjourn to meet on Tuesday, February 26th, 1935 at eleven in the forenoon.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: Joint Resolution memorializing Congress to use granite, etc, S. P. 456.

Comes from the Senate read and adopted.

In the House, the Memorial was read by the Clerk, and adopted in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Final report of the committee on Federal Relations.

Comes from the Senate, read and accepted.

In the House, on motion by Mr. Leonard of Hampden, tabled pending acceptance of the report in concurrence.

**Senate Bills in First Reading**

S. P. 146, L. D. 487: Resolve regulating fishing in Greeley Pond.

S. P. 189, L. D. 225: An act relating to certain implements and devices prohibited in fishing; penalty.

S. P. 239, L. D. 637: An act to validate the organization of the Colby Light & Power Company, and the issuance of its stock.

S. P. 453, L. D. 636: An act to validate the organization of Caribou Water, Light and Power Company and to enlarge its purposes.

**Orders**

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

Ordered, that the Attorney-General shall give to the House of Representatives, not later than February 27, 1935, his opinion on the following point:

"If the proposed special automobile plates for House members cost more above the regular cost than the amount provided for under the Tupper order, so-called, cannot the members desiring these plates obtain them by individually paying the extra pro rated cost?"

On motion by Mr. Hill of South Portland, tabled and specially assigned for Tuesday, February 26.

On motion by Miss Smith of Van Buren, it was

Ordered, that the use of the hall of the House be granted to the Committee on Appropriations and Financial Affairs on the afternoon of Wednesday, February 27th, provided the Committees on Education and Taxation jointly do not wish the use of the hall.

Mr. Desmond of Portland presented the following Memorial to Congress and moved its adoption: Memorial to the Honorable Senate and House of Representatives of the United States of America in Congress assembled, relating to subversive influences.

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the 87th Legislative session assembled, most respectfully present and petition your honorable body as follows:

Whereas, for the last decade there has been a marked increase in the growth of organizations and activities aimed at the destruction of our government by force and violence, and

Whereas, the American principle of free speech does not extend to the protection and encouragement of those who wish to destroy that principle, now therefore be it resolved that the Senate and House of Representatives of the State of Maine respectfully urge the present Congress now in session and the President of the United States to promptly enact legislation that will achieve the following 8 objectives:

First: Empower the Bureau of Investigation of the Department of Justice to investigate all subversive activities of individuals and organizations, alien or otherwise, seeking or planning the overthrow of our Government by force or violence or other unlawful means and to employ the usual investigational methods therefor. The Department of Justice should also be charged with the discretionary authority of publication of the truth about organizations and individuals engaged in subversive activities and supplied with sufficient funds and personnel to carry on the foregoing.

Second: Declare organizations which advocate the overthrow by force and violence of our Government to be illegal organizations and prohibit their existence in any territory under the jurisdiction of the United States.

Third: Declare it a felony for an individual to publicly or secretly advocate, promote or encourage the overthrow or change of our form of government by force and violence, or to knowingly belong to any society, association, group or organization which has for its object or one of its objects the advocacy or furtherance of the overthrow of the Government of the United States by force and violence or any unlawful means.

Fourth: Effectively close the U. S. mails to newspapers or other publications advocating, encouraging or affiliated with any organization advocating or encouraging the overthrow of Government by force and violence.

Fifth: Prohibit the interstate transportation of newspapers or other publications advocating, encouraging or affiliated with any organization advocating or encouraging the overthrow of Government by force and violence.

Sixth: Make clear the laws for the deportation of all aliens advocating the overthrow or change of our system of Government by force and violence and make certain the impounding without bail of any such aliens pending deportation.

Seventh: Prohibit the entry into the United States of any individual who is known to advocate the overthrow or change of Government by force or violence and clarify the law so that there can be no conflict of authority between departments of our Government in the execution of this law or regulations made under it.

Eighth: Provide for the revocation of the naturalization of any naturalized citizen who advocates the overthrow of our Government by force or violence.

Be it further resolved, that this Memorial be immediately transmitted by the Secretary of State to the proper officers and committees of the United States Senate and House of Representatives, and a copy sent to each of the Representatives and Senators representing the State of Maine in the United States Congress.

Mr. JACOBSON of Portland: Mr. Speaker, for certain reasons known to myself, and for the further purpose of investigating the matter, I move that the Memorial lie on the table.

The motion prevailed, and the

Memorial was tabled pending its adoption.

On motion by Mr. Thompson of Chelsea, it was

Ordered, that there be printed 500 additional copies of H. P. 1243, L. D. 556, an act relating to insurance on automobiles carrying passengers for hire.

**Reports of Committees**

Mr. Findlen from the committee on Agriculture on bill an act to assure proper branding of potatoes (H. P. 98) (L. D. 28) reported same in a new draft (H. P. 1459) under same title and that it ought to pass.

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

Mr. Donahue from the committee on Legal Affairs on bill an act to provide for the appointment of a Board of Commissioners of Police for the town of Sanford (H. P. 146) (L. D. 48) reported same in a new draft (H. P. 1458) under same title and that it ought to pass.

(Tabled by Mr. Demers of Sanford, pending acceptance of the report.)

Mr. Jacobson from the committee

on Judiciary reported ought to pass on bill an act relating to the Ogunquit Beach District (H. P. 1130) (L. D. 329)

Mr. Gray from same committee reported same on bill an act relating to enforcement of tax liens (H. P. 693) (L. D. 224)

Mr. Higgins from the committee on Legal Affairs reported same on bill an act relating to State Highway Police (H. P. 1219) (L. D. 447)

Mr. Shaw from the committee on Taxation reported same on bill an act relating to exemptions of estates from taxation (H. P. 1161) (L. D. 376)

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

**First Reading of a Printed Bill**

H. P. 570, L. D. 651: Resolve relating to fishing in Greenlaw brook.

**Passed to Be Engrossed**

H. P. 559, L. D. 155: An act relating to hunting rabbits.

On motion by Mr. Hagan of Georgetown,

Adjourned until Tuesday forenoon, February 26th, at 11 o'clock.