

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

Monday, April 1, 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.

Mr. Fogg of Rockland assumed the Chair as Speaker pro tem, amid the applause of the House.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act creating a lien on potatoes, H. P. 1605, L. D. 698 reporting that they are unable to agree.

(Signed) Messrs.

Gray of Presque Isle
Findlen of Fort Fairfield
Doyle of Caribou

—Committee on part of House.

Burns of Aroostook
Ashby of Aroostook

—Committee on part of Senate.

Read and accepted and sent up for concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Final report of the committee on Interior Waters.

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Senate Bills in First Reading

S. P. 697, L. D. 859: An act to repeal an act to incorporate the town of Mason.

S. P. 698, L. D. 865: An act relative to regulation of the use of the highways by motor vehicles transporting property for hire.

S. P. 218, L. D. 862: An act amending Section 2 of Chapter 16 of the Private and Special Laws of 1903, relating to Bangor and Aroostook railroad.

S. P. 295, L. D. 860: An act to validate certain loans negotiated by the city of Hallowell.

From the Senate: Report of the committee on Inland Fisheries and

Game on bill an act relative to vagrant cats, S. P. 408, L. D. 534, reporting same in a new draft, S. P. 696, L. D. 863, under same title and that it ought to pass.

Comes from the Senate report read and accepted and the new draft passed to be engrossed.

In the House, on motion by Mr. Carleton of Alna, tabled pending acceptance of report in concurrence and specially assigned for Wednesday, April 3.

From the Senate: Report of the committee on Inland Fisheries and Game, reporting ought to pass on resolve relating to fishing in Umbagog Lake, S. P. 211, L. D. 861.

Comes from the Senate report read and accepted and the new draft passed to be engrossed.

In the House, report read and accepted in concurrence, and the resolve read once. On motion by Mr. Hescoc the rules were suspended and the resolve had its second reading and was passed to be engrossed in concurrence.

From the Senate: Report of the Committee on Ways and Bridges reporting ought not to pass on bill an act to acquire the American portion of the International Bridge at Baring in Washington County and to provide for its maintenance, H. P. 218, which was accepted in the House on March 29th.

Comes from the Senate, recommitted to the committee on Ways and Bridges in non-concurrence.

In the House, on motion by Mr. Chase of Baring, that body voted to recede and concur with the Senate in the recommitment of this bill.

From the Senate: Bill an act relating to the trapping law in Waldo County, H. P. 140, L. D. 42, which was passed to be engrossed in the House on March 29th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Payson of Brooks, that body voted to recede and concur with the Senate in the indefinite postponement of this bill.

From the Senate: Bill an act relating to notary publics outside the State, S. P. 706, L. D. 886.

Comes from the Senate, received on March 30th by unanimous consent, given its several readings un-

der suspension of the rules and passed to be engrossed without reference to a committee.

In the House, bill received by unanimous consent, and given its two several readings and tomorrow assigned.

**Communication from the State
Highway Commission**

STATE HIGHWAY COMMISSION
STATE OF MAINE
AUGUSTA

March 30, 1935

To the Honorable House of Representatives:

We hand you herewith information relative to corrugated metal culverts, in accordance with the Order of the House of Representatives on March 21, 1935.

Respectfully submitted,

(Signed)

EDWARD E. FARNSWORTH,
PAUL C. THURSTON,
State Highway Commission.

On motion by Mr. Leonard of Hampden, the communication was tabled pending consideration.

Reports of Committees

Mr. Cole from the Committee on Pensions reported ought not to pass on resolve providing for an increase in State pension for Alice Chadwick of Somerville (H. P. No. 453)

Same gentleman from same Committee reported same on resolve providing for an increase in State pension for William S. Smith of Alna (H. P. No. 455)

Same gentleman from same Committee reported same on resolve providing for a State pension for Winfield Gallagher of Gardiner (H. P. No. 458)

Same gentleman from same Committee reported same on Resolve for State pension for Mrs. Libby of Gardiner (H. P. No. 459)

Same gentleman from same Committee reported same on Resolve for a State pension for Berger H. Shorrey of Mechanic Falls (H. P. No. 462)

Same gentleman from same Committee reported same on resolve in favor of Velzora Ripley of Montville (H. P. No. 465)

Same gentleman from same Committee reported same on resolve providing for a State Pension for Richard T. Kensell of Alna (H. P. No. 797)

Same gentleman from same Committee reported same on resolve pro-

viding for a State pension for W. S. Brookings of Pittston (H. P. No. 802)

Same gentleman from same Committee reported same on resolve providing for a State pension for Murzalia D. Holbrook of Randolph (H. P. No. 803)

Same gentleman from same Committee reported same on resolve providing for a State pension for Alice Lucinda Bragg of Hampden (H. P. No. 807)

Same gentleman from same Committee reported same on resolve providing for an increase in State pension for Mildred C. Fleming of Winn (H. P. No. 809)

Same gentleman from same Committee reported same on resolve providing for an increase in State pension for Hannah C. McLaughlin of Farmingdale (H. P. No. 813)

Same gentleman from same Committee reported same on resolve providing for a State pension for Lucy E. Potter of Farmingdale (H. P. No. 814)

Same gentleman from same Committee reported same on resolve providing for a State pension for Daniel H. Meader of Hallowell (H. P. No. 998)

Same gentleman from same Committee reported same on resolve providing for a State Pension for Mary Ellen Heffernan of Lewiston (H. P. No. 999)

Same gentleman from same Committee reported same on resolve for pension for Walter Eastman (H. P. No. 1001)

Same gentleman from same Committee reported same on resolve providing for a State pension for Edwin A. Ware of Pittston (H. P. No. 1006)

Same gentleman from same Committee reported same on resolve providing for a State pension for Ida May Emery of Randolph (H. P. No. 1007.)

Same gentleman from same Committee reported same on resolve providing for a State pension for Gardner Tyler of China (H. P. No. 1008)

Same gentleman from same Committee reported same on resolve in favor of S. A. Moors of Auburn (H. P. No. 1009)

Mr. Richardson from same Committee reported same on resolve providing for a State pension for Helen M. Baker of Winterport (H. P. No. 14)

Same gentleman from same Committee reported same on resolve providing for a State pension for

Mary L. Proctor of Auburn (H. P. No. 69)

Same gentleman from same Committee reported same on resolve providing for a State pension for Louis C. Choate of North Brooklin (H. P. No. 108)

Same gentleman from same Committee reported same on resolve providing for a State pension for Thomas Greer of Belmont (H. P. No. 150)

Same gentleman from same Committee reported same on resolve providing for a State pension for Flora E. Spear of Gardiner (H. P. No. 153)

Same gentleman from same Committee reported same on resolve providing for a State pension for Mildred B. Wadsworth (H. P. No. 154)

Same gentleman from same Committee reported same on resolve providing for a State pension for Lena M. Larrabee of Gardiner (H. P. No. 155)

Same gentleman from same Committee reported same on resolve providing for a State pension for Charles Andrew Newton of Bowdoinham (H. P. No. 212)

Same gentleman from same Committee reported same on resolve providing for a State pension for Lucy M. Judkins of Norridgewock (H. P. No. 305)

Same gentleman from same Committee reported same on resolve providing for a State pension for Bessie C. Ranlett of Auburn (H. P. No. 309)

Mr. Bragdon from same Committee reported same on resolve providing for a State pension for Fannie Batchelder of Prospect (H. P. No. 805)

Same gentleman from same Committee reported same on resolve providing for a State pension for Winfield Goodrich of Canaan (H. P. No. 806)

Same gentleman from same Committee reported same on resolve in favor of John H. Newell of Whitefield (H. P. No. 994)

Same gentleman from same Committee reported same on resolve providing for a State pension for Emery J. Smith of Kingman (H. P. No. 1019)

Same gentleman from same Committee reported same on resolve providing for a State pension for Len Cornforth of Unity (H. P. No. 1024)

Same gentleman from same Com-

mittee reported same on resolve providing for a State pension for John Ulmer of Unity (H. P. No. 1025)

Same gentleman from same Committee reported same on resolve providing for a State pension for Harriett L. Knight of Unity (H. P. No. 1026)

Same gentleman from same Committee reported same on resolve providing for a State pension for Bert Penney of Unity (H. P. No. 1027)

Same gentleman from same Committee reported same on resolve providing for a State pension for Bertha W. Blethen of Unity (H. P. No. 1028)

Same gentleman from same Committee reported same on resolve providing for a State pension for James Bither of Unity (H. P. No. 1029)

Same gentleman from same Committee reported same on resolve providing for a State pension for Margaretha Simpson of Gray (H. P. No. 1030)

Same gentleman from same Committee reported same on resolve providing for a State pension for Emery W. Ward of Millinocket (H. P. No. 1031)

Same gentleman from same Committee reported same on resolve in favor of William Ripley of Jefferson (H. P. No. 1094)

Same gentleman from same Committee reported same on resolve in favor of Leonial C. Bryant of Jefferson (H. P. No. 1095)

Same gentleman from same Committee reported same on resolve in favor of Herbert W. Weaver of Jefferson (H. P. No. 1096)

Same gentleman from same Committee reported same on resolve in favor of a State pension for Charles H. Marston of Gardiner (H. P. No. 1097)

Same gentleman from same Committee reported same on resolve providing for a State pension for Thomas W. Michaud (H. P. No. 1189)

Same gentleman from same Committee reported same on resolve providing for a State pension for William R. Brown of Monmouth (H. P. No. 1278)

Same gentleman from same Committee reported same on resolve providing for a State pension for Grace Taylor of Augusta (H. P. No. 1345)

Same gentleman from same Com-

mittee reported same on resolve in favor of Charles Bonsaint of Biddeford (H. P. No. 1346)

Mr. Clark from same Committee reported same on resolve providing for a State pension for Mrs. Alberta Kenney of Prospect. (H. P. No. 110)

Same gentleman from same Committee reported same on resolve in favor of a pension for Edwin M. Curtis of Frankfort. (H. P. No. 152)

Same gentleman from same Committee reported same on resolve providing for a State pension for Joseph B. Holmes of Auburn. (H. P. No. 209)

Same gentleman from same Committee reported same on resolve providing a pension for Emma H. Larrabee of Winterport. (H. P. No. 211)

Same gentleman from same Committee reported same on resolve in favor of Marcia Ward of Thordike. (H. P. No. 214)

Same gentleman from same Committee reported same on resolve providing for a State pension for Albert E. Varnum of Penobscot. (H. P. No. 308)

Same gentleman from same Committee reported same on resolve providing for a State pension for Mary Hopkins of Bucksport. (H. P. No. 342)

Same gentleman from same Committee reported same on resolve in favor of Lettie D. McKinney of Lincolnville. (H. P. No. 344)

Same gentleman from same Committee reported same on resolve providing for a State pension for Mace L. Hall of Alna. (H. P. No. 454)

Same gentleman from same Committee reported same on resolve providing for a State pension for Daniel Keleher of Frankfort. (H. P. No. 461)

Same gentleman from same Committee reported same on resolve in favor of Frank W. Tarr of Alna. (H. P. No. 471)

Same gentleman from same Committee reported same on resolve providing for a State pension for Edith M. Hill of Jefferson. (H. P. No. 472)

Same gentleman from same Committee reported same on resolve providing for a State pension for Henrietta W. Turner of Jefferson. (H. P. No. 473)

Same gentleman from same Committee reported same on resolve in favor of Charles A. Newhall of

China for State pension. (H. P. No. 475)

Same gentleman from same Committee reported same on resolve in favor of a pension for Murray A. King of Winterport. (H. P. No. 479)

Same gentleman from same Committee reported same on resolve providing for a State pension for Emil Maschino of Gardiner. (H. P. No. 662)

Same gentleman from same Committee reported same on resolve providing for a State pension for Annie Rice Coffill of Fairfield. (H. P. No. 671)

Same gentleman from same Committee reported same on resolve in favor of State pension for Mrs. E. H. Parsons of Stockton Springs. (H. P. No. 674)

Same gentleman from same Committee reported same on resolve providing for a State pension for Abbie Wiley of Winterport. (H. P. No. 675)

Same gentleman from same Committee reported same on resolve in favor of Leon R. Webster of Swanville, Maine. (H. P. No. 679)

Same gentleman from same Committee reported same on resolve providing for a State pension for Carrie Groves of Auburn. (H. P. No. 686)

Same gentleman from same Committee reported same on resolve for Albert Stevens Prescott of Vassalboro. (H. P. No. 798)

Same gentleman from same Committee reported same on resolve providing for a State pension for Annie York of Pittston. (H. P. No. 801)

Same gentleman from same Committee reported same on resolve in favor of John L. Harris of Poland (H. P. No. 804)

Reports were read and accepted and sent up for concurrence.

Mrs. Currier from the Committee on Education on the following resolves:

Resolve in favor of Coburn Classical Institute (S. P. No. 314)

Resolve in favor of Lincoln Academy (S. P. No. 407)

Resolve in favor of Lebanon Academy (H. P. No. 582)

Resolve in favor of Hampden Academy (H. P. No. 583)

Resolve in favor of the Trustees of Corinna Union Academy (H. P. No. 584)

Resolve in favor of Parsonsfield Seminary (H. P. No. 823)

Resolve in favor of Limington Academy (H. P. No. 824)

Resolve in favor of Washington Academy (H. P. No. 825)

Resolve in favor of East Corinth Academy (H. P. No. 1124)

Resolve in favor of Oak Grove Seminary in Vassalboro (H. P. No. 1170).

Resolve in favor of Pennel Institute (H. P. No. 1309)

reported a Consolidated Resolve (H. P. No. 1841) under title of "Resolve in favor of several academies, institutes and seminaries" and that it ought to pass.

Mr. Chase of Baring from the Committee on Legal Affairs on bill an act to change the charter of the city of Calais (H. P. No. 1065) (L. D. No. 463) reported same in a new draft (H. P. No. 1840) under same title and that it ought to pass.

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

Mr. Davis from the Committee on Legal Affairs reported ought to pass on bill An act to change the name of the Nasson Institute to that of Nasson College and to otherwise alter the charter of said corporation (H. P. No. 861) (L. D. No. 299)

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

First Reading of Printed Bills

(H. P. No. 1832) (L. D. No. 894) An act relating to the conveyance of property for support.

(H. P. No. 1833) (L. D. No. 890) An act relating to cities and towns refunding indebtedness.

(H. P. No. 1835) (L. D. No. 891) An act relating to Indians.

(H. P. No. 1836) (L. D. No. 895) An act to grant a new charter to the city of Eastport.

(H. P. No. 1837) (L. D. No. 892) An act relative to mines and minerals.

(H. P. No. 1838) (L. D. No. 893) An act relating to the sale of prophylactic rubber goods for prevention of venereal diseases.

Passed to Be Engrossed

(H. P. No. 705) (L. D. No. 877) An act relating to construction of State aid roads in Indian Township

(H. P. No. 826) (L. D. No. 279) An act relating to census of the Penobscot Indians

(H. P. No. 1823) (L. D. No. 875) An act relating to deputy sheriffs

(H. P. No. 1825) (L. D. No. 876) An act relating to Game Preserve at Back Bay, Portland

(H. P. No. 1827) (L. D. No. 878) An act relating to the Bingham Water District

(H. P. No. 1829) (L. D. No. 879) An act relative to open season on fur bearing animals

(H. P. No. 1828) (L. D. No. 882): Resolve regulating fishing in tributaries to Pleasant Pond in Kennebec and Sagadahoc counties.

Mr. Cole of West Gardiner presented House Amendment A and moved its adoption, as follows:

House Amendment A to H. P. 1828, L. D. 882, entitled resolve regulating fishing in tributaries to Pleasant Pond in Kennebec and Sagadahoc counties.

Amend said resolve by inserting in the title thereof after the word "Pleasant" the words 'Horseshoe and Mud' and by adding after the word "pond" the letter 's.'

Amend said resolve by adding after the word "Pleasant" therein a comma and the word 'Horseshoe' Thereupon the amendment was adopted.

Mr. Hescocock of Monson presented House Amendment B and moved its adoption, as follows:

House Amendment B to H. P. 1828, L. D. 882, entitled resolve regulating fishing in tributaries to Pleasant, Horseshoe and Mud Ponds in Kennebec and Sagadahoc counties.

Amend said resolve by inserting in the third line thereof after the word "opening" the words 'to fishing'.

The amendment was adopted and the resolve was passed to be engrossed as amended by House Amendments A and B.

Passed to Be Engrossed—Continued

Amended bills:

(S. P. No. 693) (L. D. No. 857) An act to establish stations for weighing trucks

(H. P. No. 443) (L. D. No. 121) An act relating to applications for licenses

(Speaker Tompkins assumed the Chair, the Speaker pro tem, Mr. Fogg of Rockland, being applauded as he resumed his seat.)

Orders of the Day

On motion by Mr. Scates of Westbrook, it was voted to take from

the table the third unassigned matter, House Amendment A to bill an act relating to option provisions, H. P. 1364, L. D. 593 (the amendment being L. D. 884) tabled on March 29 by that gentleman, pending adoption, and on further motion by the same gentleman the amendment was adopted and the bill was passed to be engrossed as amended in non-concurrence.

On motion by Mr. Vaughan of South Berwick, it was voted to take from the table the first unassigned matter, bill An act to provide for licenses and permits for outdoor advertising, S. P. 625, L. D. 752, tabled on March 28, by that gentleman, pending motion of Mr. Worthen of Corinth, to indefinitely postpone.

Mr. VAUGHAN: Mr. Speaker, first, I want to thank the House for their courtesy in letting me retable this matter the other day. We had endeavored not to unduly penalize the various parties interested in this bill, but our careful, able and courteous Clerk, Mr. Pease, tells me that there is a parliamentary situation, which is not exactly clear to me. The substance is that somehow the titles to the Senate amendments which were adopted to this bill the other day, A, and A to A, and B to A are wrong, and should be amended. Therefore he has helped me draw up a procedure which does not alter the amendments in the least, but puts them in properly. This procedure is as follows: To reconsider under suspension of the rules the adoption of Senate Amendment A as amended; to reconsider under suspension of the rules the adoption of Senate Amendments A and B to Senate Amendment A; indefinitely postpone Senate Amendments A and B to Senate Amendment A. Then we have to put them all back again: House Amendment A to Senate Amendment A, and House Amendment A to the bill. If I can, I will make these various motions in a consolidated manner, and I would ask your permission to do so, under suspension of the rules, as I read them. Mr. Pease has the various documents; I couldn't carry them in a suitcase, I am afraid—they sound so voluminous.

The SPEAKER: The gentleman from South Berwick, Mr. Vaughan, now moves, under suspension of the

rules, to reconsider the adoption of Senate Amendment A as amended by Senate Amendment A, and as amended by Senate Amendment B.

The motion prevailed.

The SPEAKER: Under suspension of the rules the gentleman from South Berwick, Mr. Vaughan, now moves to reconsider the adoption of Senate Amendments A and B to Senate Amendment A.

The motion prevailed.

The SPEAKER: The gentleman from South Berwick (Mr. Vaughan) now moves that Senate Amendments A and B to Senate Amendment A be indefinitely postponed.

The motion prevailed.

The SPEAKER: The gentleman from South Berwick (Mr. Vaughan) now offers House Amendment A to Senate Amendment A, and moves its adoption. The Clerk will read the amendment.

House Amendment A to Senate Amendment A to S. P. 625, L. D. 752 an act to provide for licenses and permits for outdoor advertising.

Amend said Senate Amendment A by adding at the end of the third paragraph after the words "third sentence thereof" the following: "and inserting in place thereof the following: 'aforesaid fees to be in lieu of all other taxes upon each panel, bulletin or sign.'"

Further amend said amendment by striking out the word "welfare" in the second line of the sixth paragraph thereof, and inserting in place thereof the word "safety".

Thereupon, House Amendment A to Senate Amendment A was adopted in non-concurrence.

The SPEAKER: The gentleman from South Berwick (Mr. Vaughan) now moves to adopt Senate Amendment A as amended by House Amendment A.

The motion prevailed.

The SPEAKER: The gentleman from South Berwick (Mr. Vaughan) now offers House Amendment A to the bill. The Clerk will read the amendment.

House Amendment A to S. P. 625, L. D. 752 an act to provide for licenses and permits for outdoor advertising.

Amend said bill by adding at the end of section 9 thereof the following: 'permits, as aforesaid, to be attached to said structure, device or display shall be furnished by the commission.'

Further amend said bill by striking out all of section 10 thereof

and inserting in place thereof the following:

"Warning, directional or other signs upon or near highways for the safety, welfare or convenience of persons using such highways, or temporary signs or posters for political or agricultural fair purposes, shall not be deemed to be outdoor advertising structures, devices or displays within the meaning of this Act, but they shall not be painted upon or annexed to any rock or tree and are subject to regulation and supervision by the commission to prevent or remove whatever will injuriously affect any public interest or endanger the safety of persons using any highway."

Mr. VAUGHAN—I thank you, Mr. Speaker and Mr. Pease, the Clerk, too, for your kind assistance in overcoming the technical faults in the amendments. I now offer House Amendment A to House Amendment A, a new amendment.

You understand there are just the same number of old amendments there now as there were the other day. It is just the same, but with different titles. They are now properly dressed and grown up, so to speak. This takes care of the trouble that came up the other day. One part of this new amendment I offer is that this bill, if it passes, does not repeal any statutes relating to making signs obligatory; for instance, at filling stations, pumps at such service stations having a round, clear sign saying "Amoco," or something else. This is required by law, and this amendment is simply to say that law is not repealed.

The second part of this amendment covers railroad stations, so in case a road came by a railroad station, they would not have to take down all their signs. This means an opportunity for the billboard people to do more business.

I will ask the Clerk to read this new amendment, and I move its adoption.

The SPEAKER: The gentleman from South Berwick, offers House Amendment A to House Amendment A, and moves its adoption. The Clerk will read the amendment.

House Amendment A to House Amendment A to S. P. 625, L. D. 752, an act to provide for licenses and permits for outdoor advertising.

Amend said amendment by adding at the end thereof the following:

"Signs or posters located on railroad property and intended for dis-

play to the public using such railroad, and signs erected, maintained or displayed under the provisions of any statute shall not be deemed outdoor advertising structures, devices or displays within the meaning of this act."

Thereupon, House Amendment A to House Amendment A was adopted; and on further motion by the same gentleman it was voted to adopt House Amendment A as amended.

Mr. MASON of Mechanic Falls: Mr. Speaker, I offer an amendment and move its adoption.

The SPEAKER: The gentleman from Mechanic Falls, Mr. Mason, now moves that under suspension of the rules the House reconsider its action taken earlier in the session whereby it adopted Senate Amendment A as amended by House Amendment A thereto.

The motion prevailed.

The SPEAKER: The same gentleman now offers House Amendment B to Senate Amendment A, and moves its adoption. The Clerk will read the amendment.

House Amendment B to Senate Amendment A to bill an act to provide for licenses and permits for outdoor advertising. H. P. 625, L. D. 752.

Amend Senate Amendment A by striking out in the third line of the fourth paragraph thereof the figures "50" and inserting in place thereof the figures '15.'

The SPEAKER: Is it the pleasure of the House to adopt the amendment as read? The Chair recognizes the gentleman from South Berwick, Mr. Vaughan.

Mr. VAUGHAN: Mr. Speaker, I yield to the gentleman from South Portland, Mr. Hill.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Hill.

Mr. HILL: Mr. Speaker, I merely wish to say that I believe there is some confusion and uncertainty and perhaps doubt as to the effect of this amendment. I should like to inquire which section of Senate Amendment A it is that this amendment proposes to amend?

The SPEAKER: The third line in the fourth paragraph. For the information of the House, the Clerk will read the first three lines of the fourth paragraph.

(Read by the Clerk)

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Wentworth, Mr. Speak-

er, may we have the gentleman from Mechanic Falls, Mr. Mason, explain this amendment?

The SPEAKER: The gentleman from Mechanic Falls, Mr. Mason, may explain, if he cares to.

Mr. MASON: I cannot explain. I do not know.

Mr. VAUGHAN: Mr. Speaker, I think I can explain what that is. The gentleman from Mechanic Falls (Mr. Mason) reminds me a little of the gentleman who appeared before the Judiciary committee the other day and talked three or four minutes on optometry; and I said to the two members on each side of me: "What does that word mean?" And they said they didn't know; so I got a dictionary, and I couldn't find it in the dictionary, so I asked the gentleman who was talking and he said he wasn't sure himself but he would ask Dr. Gleason. I said, "I would like to hear from you what you yourself meant when you used that word." So I will explain the matter for the gentleman from Mechanic Falls (Mr. Mason.)

This particular amendment will kill the bill. I do not know but what it is an indirect blow under the belt, but I am pretty tall, so perhaps they did not really mean it for my belt.

The "50" referred to in this amendment is the set-back from the nearer side of the travelled way that under this bill should be cleared of all billboards—they should be set back fifty feet from the nearer side of the travelled way. The original bill said "75" feet, but we had a meeting with the billboard people, I, representing the Judiciary committee, the proponents and the opponents of the bill being present also, and we worked out a compromise, so that this bill would not be unduly oppressive in any way to the billboard industry. They claimed that this set-back of seventy-five feet, as in the new draft bill reported unanimously by the Judiciary committee, would require the removal of most of their billboards, and be very oppressive; so we agreed to fifty feet as the set-back, and they said that would be all right, practically, but they needed five years' time in which to relocate the signs now within this fifty feet set-back, but as I considered that an unreasonably long time, we compromised on three and a half years to make the

re-location to beyond the fifty feet from the nearer edge of the travelled way.

The fifteen feet proposed by this amendment of course would not move any billboards at all. They would be all over the place, just as they are now, messy and every other way. Personally, if I were in the billboard business, I would want a regulation so if I put up a billboard, another fellow couldn't put one up in front of it. But they seem to like that—they seem to like to make the street hideous, instead of having any standardization, so if we do not move any billboards at all, there is no use in the bill. But I am wondering, as I think it over, whether this amendment has not really concealed underneath some kind of a boomerang, one of those foreign things, because if you say so many feet from the nearer side of the travelled way, which is the wrought way—the wrought way, as I recall is about twenty-four feet, and the road location is sixty-six feet—so that you have forty-two feet of location outside of the travelled way, which means twenty-one feet on each side of it; consequently if you take this set-back of fifteen feet from the travelled way, you are still within the highway location by six feet. In other words, this amendment not only kills the bill, but it also gives the billboard people a new right, a privilege to put billboards inside the highway location itself. There is not another person or industry in the State of Maine who can put billboards or signs inside the highway location today, and this amendment means that you are giving these billboard people a special right to put signs inside the highway location. In other words, the road will simply become a tunnel of billboards, any old billboards. You cannot help looking at them; they obtrude on your sight so that you cannot escape them: Palm Olive Soap Girls, who look so pretty, or Arrow Collar Men who look so handsome that a girl driving a car couldn't take her eyes off them!

The primary reason for the enactment of billboard regulation, as it is called, and that is exactly what it is, is to safeguard the public on the highway. This amendment absolutely cuts down that safety to a minimum and makes the highways more risky and more dangerous

than ever, if you allow billboards six feet inside the highway location. Incidentally, of course the billboard legislation is designated to preserve some of the assets of the splendid scenic beauty which we have in our State, but if you have billboards all the way fifteen feet from the road you are travelling on—why, I could almost step fifteen feet—if you have them that distance, you cannot see anything at all. What is the use of having Maine scenic beauty, traditional old houses that our ancestors were proud of? What is the use of having the Maine Development Commission spend time, effort and thousands of dollars to bring people into the State, if you surround them by a bunch of billboards, so that they cannot see the beauties, the fine old houses or the historic spots?

So I say this amendment is a boomerang. In other words, this industry asks for more special privileges than they have today. And what is this industry? Sixty-five per cent of this industry is out of the State—concerns out of this State; the remaining thirty-five per cent is local.

After great difficulty at the hearing, we got a little information from the billboard people, a very little, and that was that they employed only about a hundred and twenty-five men seasonally, that is, part of the time, say a few months in summer. Now that is not a big industry. Why shouldn't they be regulated? Why should out-of-state people come in and dictate to us what kind of regulations and laws we should have? As a matter of fact, what is this industry? This industry is not a productive industry at all. It is simply a method of commercial propaganda. The ordinary commercial propaganda is by advertisement in the newspapers or magazines, and you do not have to read them unless you want to. The radio has a propaganda system; you can shut the radio off, but when you go along the highway you are forced, willy nilly, to look at these blooming things; you cannot get rid of them. They take your eye off and distract your attention dangerously, going at speed as a motor car does on a good road, especially if you see a toothpaste you don't like or those beastly Burma Shave signs, and so on.

This is the most extraordinary thing I have ever heard of, and I

have lived a long not unchecked life. You know, it sounds to me like the old days—these people come in here from out of the State and put this commercial propaganda where you must see it. You cannot shut your eyes because you will run into other cars; you cannot escape it. The better roads we get, the more money you and I pay for taxes—we do pay taxes—and it is put into the roads, and the better the roads, the more business these billboard people get. We are making business for them. And do they pay towards these roads? No, they do not! The more dollars that are put into roads, more signboards go up. They are creeping up north now. You gentlemen who live up north do not realize it. Mr. Wentworth, I assume, will tell you about down in his own county, where the people come into this State, where they get their first impression, i. e. billboards, and they say: "What is the matter with the State of Maine? It is all billboards. Where is the scenery? Where are the famous old houses they talk so much about? You can't look around." I am quite excited about this billboard business because I think it is the same old thing which "big business" used to practice. The attitude of big corporations, when I was a boy, was that they would come in and they owned the Legislatures. These big corporations had the motto: "The public be damned." That is just what this amendment goes on—"The public be damned; we are going to take part of the highways and put our signs on them." I think this is the most colossal arrogance I ever heard in my life—and I will not take that back either. (Applause.)

While I am on my feet, I might as well explain the bill, if you will bear with me a little longer. I did not mean to take so much time, but I was injected into this blooming thing. I am not a proponent of this bill at all, but I was brought up in a family that believed we ought to consider the public, down in "Punkin' Holler." We founded Hollowell and each generation worked for the interests of the town and the State, and for the small industries; no one dared then to come in and tell us how we should legislate and why we should legislate.

This is not a new story. It has been going on for eight or ten years. It is absolute obstructionism. Eng-

land started this billboard regulation in 1907, and England helped to win the war because they could see ahead and were not shooting from behind any obscuring billboards. The other States in this Union have recognized the necessity of regulation of this industry, which is a perfectly legitimate industry. It is not only in the State of Maine. You, and industry too, have got to consider other people—that is civilization. But up to this year, the opponents of every regulatory bill have never done anything but to obstruct. I have been around the country on various matters, adjusting disputes and always finding some common point for agreement or compromise, but in this case I could not get the opponents, the advertising people, to talk at all. Their attitude and answer was just: "We don't like the bill and we'll kill it." I tried to get them to say what the matter was with the bill, why they were opposed to it. They just sat back and repeated: "We don't like it."

Finally the committee made a unanimous report and made the bill less drastic than the original bill; I won't go into the details. The demand at the hearing was tremendous—it was a popular demand from all over the State for some regulation. The opponents had a very able lawyer, and they just picked the bill to pieces in a technical way. None of them got up to tell us why they opposed the bill, so we all leaned over backwards in the Judiciary committee, to be fair to the industry in our own State.

Just before the hearing on the bill, in the Senate Chamber, I was asked if I would meet with both sides and attend a meeting for a compromise. I gladly agreed, in spite of my former unavailing efforts in that direction. We talked and talked, and finally we worked out this Amendment A, the first amendment, which was to the effect that any square foot tax on billboards should be eliminated in Maine, because the square foot tax increases as the billboard gets bigger and bigger. We eliminated that entirely. The purpose of the bill was not for revenue, but it was in the interests of trying to standardize, to try and get some order in the billboard erection and locating. We also agreed, as I said before, to reduce the set-back distance to fifty feet, instead of the original seventy-five

feet from the nearer side of the travelled way, and we reduced the distance approaching an intersection from five hundred feet, no billboard, to three hundred feet, no billboard. We then put in, at my suggestion, a time limit for the relocations outside of the fifty foot set-back, because the billboard people said: "It will hurt us tremendously to move these billboards right away, if this regulation goes into effect, even for fifty feet, though we won't have to move such an ungodly number of billboards as we would under a seventy-five foot set-back." They wanted five years to do it in. I said I would like to see it accomplished in my life-time, so I said: "Let us have three." They would not agree to that. I said: "Let us be Yankees—you know about the old Yankee custom of holding up a shingle, and each fellow writes on his side what his price is, and they then split the difference." I said: "We will split the difference and call it three and a half years." So we split the difference and they have got three and a half years to readjust themselves to the set-back regulations.

Now I want to stress that three and a half years, members, because I think it is very important. As I say, this is a legitimate business, but just the same, it seems to me they should play the game with the public, and to my mind they have not been doing it all these ten years of agitation for regulation, consequently they have got to be forced to behave fairly.

Of course the bill itself is pretty long, but in substance, I will just say this: It refers only to billboards in the country, not in thickly settled places—towns, cities or suburbs. Shall I stop speaking, Mr. Speaker? How is the time?

The SPEAKER: We have plenty of time.

Mr. VAUGHAN (continuing): I do not want to bore the members, but I get quite excited and mad when I consider the successful, solely-obstructionist tactics of this billboard industry for some ten years, and now this attempt by a new amendment to get by indirect methods a right to advertise in the highway location itself. The bill itself, in substance, is a regulatory bill, founded on a public demand that is universal in this country. Regulatory bills—much more

drastic than this one—are in force in New Hampshire, and Massachusetts, and go right along through the other states. Again I say, this bill applies only to signs in the country, that is, the rural districts; it does not apply at all to the built-up sections of towns or cities; it has nothing to do with stores, a bunch of houses or a country store; it would not affect those at all. It also has the saving provision that these roadside stands, these fellows who want to put up signs at their door: "Tourists" or "Tourists Accommodated," or what not, and all that kind of thing about selling apples, and all those things, on a man's own place, or conducting a business or profession on his own place, that is cared for, and they are not obliged to move back fifty feet. But suppose they did have some advertising signs which the regulations required to be moved—within three and a half years, mind you—they would only have to be moved so as to be fifty feet from the nearer side of the travelled way, which would mean, in fact, only a set-back of about twenty-nine feet on the man's own land, because twenty-one feet of the required fifty-foot set-back is within the highway location, as I have explained before, when talking about the new amendment proposed by the billboard people asking for a fifteen-foot set-back. The signs would still be on their land, if they wanted to put up signs. You see I am kind of a countryman; I believe a lot that people tell me, and I thought that these billboard people were honestly endeavoring to come to an agreement, but I find, as somebody has told me, they were just trying to see how far they could go, and they were going to kill the bill anyway, whatever compromises were agreed upon, and that is the situation today, with these compromises in shape of amendments.

One objection was how to take care in the Highway Commission of the expense. The expense is to be taken care of by the fees. The Commission is to run this, and turn the fees over that they receive from licenses granted annually to do business and from annual permits for each sign, to the Treasurer, and those fees are to take care of the extra expense involved in administering these regulations.

The sum of it all is that if we want to get in line with public sentiment, we have got to do something. For eight or ten years now we have been stalled, just blocked. Now then, if we keep on being blocked by a small privileged class, such as these men are, we will never make a step in the right direction. They say the bill is full of faults. You cannot find any bill that is perfect, that meets all conditions; but you have got to make a start. How did any of you members learn to walk? A child has to learn to take his first step, and learn from experience. That is what we want to do here; we want to take one step in this matter of regulating billboards. We do not want to get a bad reputation throughout the country for being overrun with billboards because it is awfully hard to get a good name back. We ought at least to take a step at this time, because there is a great and growing public demand, a public interest.

When I first started to ride over jumps on a horse, friends told me what to do and books on riding to read. They said: "If you want to ride a horse right, put a card between the sole of each foot and the iron of the stirrup, and if you lose the cards, you are not properly prepared to jump the fences." But no one can ever learn from just being told how; you have got to learn from experience. Well, I got over the wall, and I lost the cards, but, though it was a poor performance, I learned something as to how to do better the next time.

What we want to do is to take the first step. We agreed on this compromise with the billboard men. Up to now it has been all academic discussions and getting nowhere in the end. Let us try it out. Are you afraid to try it out? Let us take the first step. They have got three and a half years to readjust themselves to regulation, and by that time there will be another Legislature come in, and that Legislature, from the experience gained under this bill, can amend the law as they have learned is necessary from actual administration or working of its provisions. But we must take the first step. All we ask is to take such step.

Now I just want to speak about this so-called compromise which is set out in the first amendment. I do not know what you would call it—but anyway, for some time since

this compromise the billboard people have been working just the same to defeat the bill. Whose fault it was, I will not say. Maybe it was mine. It does not matter. I will say this: That the Judiciary committee were agreed on this compromise amendment, and the proponents gave up a lot of things for it; the set-back was less, the fees were reduced, and we believed then it was a fair amendment, although it did reduce the bill drastically and made the step forward comparatively small. We are going to stand by our agreement. We do not make promises and not keep them. We are going to stick by that agreement; also leave the second amendment in the same way. It was done to make the thing fairer. The second amendment takes care of warning signs, and, too, of directional signs, to help the hotels and camps. We do not want to penalize such signs or temporary political and agricultural fair signs; of course we don't. It was not within the meaning of the bill. So we made these amendments and we are going to stick by them. They all make the bill board bill that we put through the committee more practical and less heavy on everybody affected. If the billboard industry does not want to play the game yet, it is true that nobody is exercising a proper right if he insists on prohibiting or stopping a step in the forward march of improvement or progress for the public welfare and public safety, as this bill is. This is progress, gentlemen—there is no question about it. In any steps toward progress somebody has got to be inconvenienced or hurt, but we have endeavored to mitigate the inconvenience and the hurt where it may be unreasonably heavy.

A representative of one of the biggest producing industries in the State came to me and said: "We will accommodate ourselves to you. It is going to make a lot of difference to us, but it is for the public interest and we think it ought to be done. We are in favor of billboard regulations."

Supposing there was an old timer who had gone out west and made his "pile," and he comes back into York county and goes through the billboards which line the road. What will he say? He will say: "What on earth has happened to

Maine—gosh darn it!" He will turn around long before he gets as far as Portland and go back to the west again, and he would say he was through with Maine. He would say: "I am not going to found or help any colleges or hospitals in Maine. They are still asleep; they are asleep on their feet."

If I can alliterate, I would say in paraphrase of Scott's Lay of the Last Minstrel:

Breathes there a man who soul so dead

Who never to himself hath said:
"This is my own, my native Maine."
Whose heart hath ne'er within him
burned

As home his footsteps he hath
turned—

until, members, he meets Grandpa Billboard, Grandma Billboard, Pop and Mom Billboard, and all the other little billboards.

Mr. FORTIN of Lewiston: Mr. Speaker and members of the House: I would like to briefly speak on this bill because I have been somewhat interested. I have studied the whole bill. I am not a billboard man, and I am not hired by any billboard company. I wonder how many members of the House have read the bill itself and all the various amendments, A to B, B to A, and back again to B, C, D, and have noticed the importance and far-reaching effect that this bill has on the billboard industry.

Now I believe in the beautification of our roadsides very much, but I do not believe that this bill takes care of the matter as it should. This bill should be condensed more, and should be more simple. As it is now, with all these amendments, it becomes a Chinese puzzle. The bill is inexpedient at this time, I believe. I also believe it places too much authority in the hands of the Highway Commission.

You notice in the bill that it creates more jobs, and we know that that also carries an additional expense. I do not believe that the revenue from the license fees will take care of the clerks necessary to administer this bill. Its scope is too large and complicated, as I said before. For instance, my business caters to service stations, and we all know that service stations have a habit of advertising what they have for sale. This bill confines them to two signs, and no pro-

vision is made for additional signs. I hope that the motion for indefinite postponement prevails.

Mr. WENTWORTH of Kennebunk: Mr. Speaker and members of the House: The gentleman from South Berwick, Mr. Vaughan, said he got pretty vexed at the amendment which was offered. I, too, got quite hot under the collar at the proceedings that took place the other day, and I came up yesterday and wrote up a great long speech. I am not going to bother to make it, because the gentleman from South Berwick (Mr. Vaughan) has covered the situation so thoroughly. But I think any bill should be decided on its merits or turned down on its demerits, and there is no need of resorting to some of the things that have been resorted to in trying to defeat this bill. Why, the other day, the big league—of course we are in the minor league—sent over a coach, and at the proper time he introduced a pinch hitter to come up and offer the motion to indefinitely postpone, and he is now stranded between third base and home, and I hope he will be put out by turning down the indefinite postponement of this bill, and I also hope that this amendment will be turned down.

Mr. WORTHEN of Corinth: Mr. Speaker, I had a little speech made for this occasion, but with all this confusion of enacting amendments, and then reconsidering amendments and proposing more amendments, I believe that I should be given at least two years to write another speech.

To get right down to business, as the thing stands at the present moment, I do not believe any of us should act on this bill at the present time. When we vote on a measure, we should know the contents of the bill, and know the amendments, know the meaning. I, for one, can truthfully say that at first I knew a little something about the bill, but as it stands now, together with the amendments, I know very little about it. I feel as though there are other members here who feel the same way, and I hope that any move to pass this bill with the amendments does not prevail at this time, at least.

Mr. MACE of Augusta: Mr. Speaker, if the opponents of this bill would admit every amendment has been offered in good faith by the proponents, to satisfy the op-

ponents, I doubt if a bill could be written that would satisfy the opponents of this measure. It is a step in the right direction. It is a step to beautify Maine, and I hope that the members will not vote to indefinitely postpone this bill.

The SPEAKER: The question before the House is on the amendment as offered by the gentleman from Mechanic Falls, Mr. Mason, House Amendment B to Senate Amendment A. Is the House ready for the question? All those in favor—

Mr. WENTWORTH: Mr. Speaker, I move that we have a division of the House.

The SPEAKER: The gentleman from Kennebunk, Mr. Wentworth, asks for a division of the House. All those in favor of the motion of the gentleman from Mechanic Falls, Mr. Mason, on the adoption of House Amendment B to Senate Amendment A will rise and stand until counted and the monitors will make and return the count.

A division of the House was had.

None having arisen in the affirmative, the motion did not prevail.

The SPEAKER: The question now before the House is on the adoption of Senate Amendment A, as amended. Is the House ready for the question? All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Corinth, Mr. Worthen, to indefinitely postpone the bill. Is the House ready for the question?

Mr. WENTWORTH: Mr. Speaker, I ask for a division of the House.

The SPEAKER: The gentleman from Kennebunk, Mr. Wentworth, asks for a division of the House on the motion to indefinitely postpone. Is the House ready for the question? All those in favor of the motion of the gentleman from Corinth, Mr. Worthen, to indefinitely postpone this bill will rise and stand until counted and the monitors will make and return the count.

A division of the House was had.

Twelve having voted in the affirmative and 79 in the negative, the motion did not prevail.

Mr. WENTWORTH: Mr. Speaker, I now move that this bill have

its third reading, and be passed to be engrossed.

Mr. MASON: Mr. Speaker, I move that this bill and amendments be retabled. (Calls of no, no.)

The SPEAKER: The gentleman from Mechanic Falls, Mr. Mason, moves that the bill and amendments be retabled. Is that the pleasure of the House?

A viva voce vote being taken, the motion did not prevail.

Thereupon, on motion by Mr. Wentworth, of Kennebunk, under suspension of the rules, the bill as amended was given its third reading and was passed to be engrossed in non-concurrence.

On motion by Mr. Clarke of

Cooper, it was voted to take from the table the fifth unassigned matter, House order relative to opinion of supreme court justices on S. P. 132, L. D. 79, an act relative to fishing and hunting licenses tabled on March 30, pursuant to House Rule 46; and on further motion by the same gentleman the order received passage.

The SPEAKER: Is there any further business to come before the House? I might say to the members of the House that tomorrow we have a very full calendar.

On motion of Mr. Findlen of Fort Fairfield,

Adjourned until nine o'clock tomorrow morning.