

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

Special Session, December 16, 1936

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, December 16, 1936.

This being the day designated in the proclamation of the Governor for the meeting of the Eighty-seventh Legislature in special session, the members of the House of Representatives assembled in their hall at two o'clock in the afternoon and were called to order by the Speaker.

Prayer by the Rev. Mr. McWhorter of Augusta.

THE SPEAKER: This special session of the Eighty-seventh Legislature has been called by a proclamation of His Excellency, the Governor, which the Clerk will now read.

STATE OF MAINE**Proclamation by the Governor****Special Legislative Session**

WHEREAS, it appears advisable that the Legislature of this State should meet in special session for the following purposes:

To consider legislation relating to unemployment compensation.

To act upon any legislation to promote the welfare of the State.

I, THEREFORE, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol, at Augusta, on Wednesday, the sixteenth day of December, 1936, at two o'clock P. M., in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the Office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighth day of December, in the year of our Lord one thousand nine hundred and thirty-six, and in the one hundred and sixty-first year of the Independence of the United States of America.

LOUIS J. BRANN, Governor.
By the Governor:

LEWIS O. BARROWS,
Secretary of State.

Seal.

A true copy:

Attest: LEWIS O. BARROWS,
Secretary of State.

The Clerk thereupon called the roll of the House.

One hundred and thirty-two members answering to their names, a quorum was declared to be present.

During the calling of the roll a message was transmitted from the Senate, through its Secretary, informing the House that a quorum was present in their chamber and that body was ready for the consideration of such business as may come before it.

On motion by Mr. Hill of South Portland, it was

Ordered that a committee of seven be appointed to wait upon his Excellency, the Governor, and inform him that a quorum of the House of Representative is assembled in the hall of the House for the consideration of such business as may come before the House.

Thereupon the Chair appointed as such committee Representatives Hill of South Portland, Miss Stickney of Brownfield, Fortin of Lewiston, Newton of Readfield, Thompson of Belfast, Churchill of Brewer and Chase of Baring.

On motion of Mr. Smith of Bangor, it was

Ordered, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before it.

At this point the committee, through its chairman, Mr. Hill, reported that it had delivered the message to His Excellency, the Governor, with which it was charged.

The Clerk of the House also reported that he had performed the duty of informing the Senate that a quorum of the House was present.

COMMUNICATION FROM THE SECRETARY OF STATE

(Out of order)

DEPARTMENT OF STATE
State of Maine

Augusta, December 16, 1936.

To Harvey R. Pease, Clerk of the House of Representatives of the Eighty-seventh Legislature:

In compliance with Section 36 of Chapter 2 of the Revised Statutes, I beg to report that there are vacancies in the following representative class districts:

Towns of Webster, Durham and Leeds by the death of Hon. Augustus E. Campbell of Leeds.

Towns of Arrowsic, West Bath, Topsham, Woolwich and Phippsburg by the death of Hon. Ernest A. Allan of Topsham.

City of Calais by the death of Hon. Wm. S. Tupper of Calais.

Towns of Gray, Raymond and New Gloucester by the resignation of Hon. Ernest C. Roach of New Gloucester, which resignation is on file in this office.

Respectfully

(Signed) Lewis O. Barrows,

Secretary of State.

The communication was ordered placed on file and the names stricken from the rolls of the House.

A message was received from the Senate, through its Secretary, proposing a Joint Convention to be held forthwith in the hall of the House of Representatives for the purpose of extending an invitation to His Excellency, the Governor, to attend the Convention and make such communication as pleases him.

Mr. Flanders of Auburn presented the following resolution, out of order, and moved its adoption:

WHEREAS, the members of the House of Representatives of the Eighty-seventh Legislature of the State of Maine have been deeply moved by the death of a highly regarded fellow member, the gentleman from Leeds, Augustus E. Campbell;

AND WHEREAS, the members of the House of Representatives sense a personal loss in the passing of a distinguished son of Maine whose services to his State had ever been honorable

NOW BE IT RESOLVED that the State of Maine mourns the decease of Augustus E. Campbell of Leeds, whose death deprived her of a valuable public servant, and the members of the House of Representatives mourn the departure of a beloved companion and helpful fellow worker;

AND BE IT FURTHER RESOLVED that these resolutions be spread upon the permanent records of the House, and the Clerk transmit a copy to the bereaved family of the late gentleman from Leeds.

Thereupon the resolution was adopted by a rising vote.

Mr. Scates of Westbrook presented the following resolution, out of order, and moved its adoption:

WHEREAS, the members of the House of Representatives of the Eighty-seventh Legislature of the State of Maine have been deeply moved by the death of a highly regarded fellow member, the gentleman from Topsham, Ernest A. Allan;

AND WHEREAS, the members of the House of Representatives sense a personal loss in the passing of a distinguished son of Maine whose services to his State had ever been honorable;

NOW BE IT RESOLVED that the State of Maine mourns the decease of Ernest A. Allen, of Topsham, whose death in the prime of life deprived her of a valuable public servant, and the members of the House of Representatives mourn the departure of a beloved companion and helpful fellow worker;

AND BE IT FURTHER RESOLVED that these resolutions be spread upon the permanent records of the House, and the Clerk transmit a copy to the bereaved family of the late gentleman from Topsham.

Thereupon the resolution was adopted by a rising vote.

Mr. Chase of Baring presented the following resolution, out of order, and moved its adoption:

WHEREAS, the members of the House of Representatives of the Eighty-seventh Legislature of the State of Maine have been deeply moved by the death of a highly regarded fellow member, the gentleman from Calais, William S. Tupper;

AND WHEREAS, the members of the House of Representatives sense a personal loss in the passing of a distinguished son of Maine whose services to his State had ever been honorable;

NOW BE IT RESOLVED that the State of Maine mourns the decease of William S. Tupper of Calais, whose death in the prime of life deprived her of a valuable public servant, and the members of the House of Representatives mourn the departure of a beloved companion and helpful fellow worker;

AND BE IT FURTHER RESOLVED that these resolutions be spread upon the permanent records of the House, and the Clerk trans-

mit a copy to the bereaved family of the late gentleman from Calais.

Thereupon the resolution was adopted by a rising vote.

On motion by Mr. Higgins of Ellsworth, it was voted that the House signify to the Senate its concurrence in the proposal for a Joint Convention.

Thereupon the Clerk of the House performed that duty, subsequently reporting that he had so done, which report was accepted

At this point the Senate came in and a Joint Convention was formed.

IN CONVENTION

The President of the Senate in the Chair.

On motion by Senator Burns of Aroostook, it was

Ordered, that a committee be appointed to wait upon Honorable Louis J. Brann, Governor, and inform him that the two branches of the Legislature are in convention assembled in the hall of the House of Representatives and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chair thereupon appointed as members of that committee on the part of the Senate:

Senators: Burns of Aroostook
Burkett of Knox
Jackson of Sagadahoc
and on the part of the House:
Representatives:

Patterson of Freeport
Bragdon of York
Scates of Westbrook
Carswell of Gorham
Devereux of Penobscot
Mrs. Latno of Old Town
Mr. Gray of Presque Isle

Subsequently, Senator Burns for the Committee, reported that the committee had discharged the duty assigned to it, and that the Governor was pleased to say that he would attend forthwith.

The report was accepted.

Thereupon, the Honorable Louis J. Brann, Governor, accompanied by the Executive Council, entered the hall amid applause, the audience rising, and the Governor addressed the Convention as follows:

My friends of the Eighty-seventh Legislature:

I bid you a most cordial welcome.

The Federal Social Security Act provides that employers of labor employing eight or more people for the calendar year of 1936 contribute one percent on payrolls with certain exemptions specified in the Federal Social Security Act.

These contributions are for the purpose of establishing a fund for unemployment compensation in the State.

This contribution is payable to the Federal Government on January 31, 1937, but there is a provision in the Act that any employer may credit on his contribution ninety percent of said amount if the same be paid to the State, under the provisions of a State Unemployment Compensation Law in effect and approved by the Social Security Board prior to December 31, 1936.

The amount of the aggregate contributions of Maine employers coming within the scope of the Act for the calendar year of 1936 is estimated to be a million and one-half dollars.

In order to save this substantial sum for the benefit of our own unemployed workmen, it is necessary that the Legislature pass an unemployment compensation law which shall be approved by the Social Security Board prior to December 31st of this year.

I have called you together to consider such a bill.

A bill has been prepared with great care by the following members of your Honorable Body: Honorable Harold E. Weeks; Honorable Nathaniel H. Tompkins; Honorable Franz U. Burkett; and the Honorable George E. Hill, for submission to the Legislature.

I desire to thank them for their painstaking and distinguished service to the State in preparing draft of a bill to be submitted at this time.

Old Age Assistance

By an emergency order of the Governor and Council disbursements for old age assistance have been made from the contingent fund of the State for the past eight months.

The Governor and Council have transferred from the current contingent fund for pension requirements up to the present time \$216,-998.26.

The passage of an old age assistance act will be considered by the Legislature convening early in January of next year.

The State, at the present time, is making old age disbursements to more than four thousand aged people, and expending each month in excess of forty thousand dollars of State money, matched, of course, by Federal money.

In order that there be no interruption in the payments to those now receiving benefits under the Old Age Assistance order in Maine, I respectfully recommend that you appropriate the sum of one hundred thousand dollars for old age assistance and the administration thereof until March 1, 1937.

This will afford an ample opportunity to the incoming Legislature to pass old age assistance legislation and provide for the financing thereof.

Deer Island Bridge

I further recommend that you give consideration to the matter of the Deer Isle-Sedgwick Bridge in order to avoid the possibility of a loss of a Federal Aid grant in the amount of \$315,000.00 for the construction of a bridge connecting Deer Island with the mainland.

I respectfully urge the passage of the bills under the emergency provisions of the Constitution.

I thank you very much. (Applause, the members of the Convention rising).

The Governor and Council then retired, amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Convention was dissolved and the Senate retired amid the applause of the House.

In the House

The Speaker in the Chair.

Mr. HILL of South Portland: Mr. Speaker, out of order and under suspension of the rules, I wish to present bill, an act relating to unemployment compensation, by request, and I would like to state that the fact that the bill is presented by me does not indicate that it meets with my entire approval in all respects. (Applause)

Thereupon, it was voted that the above bill, being House Paper 1883, an act relating to unemployment compensation be received; and on further motion by Mr. Hill the bill was referred to the Committees on Labor and Judiciary jointly and one thousand copies ordered printed.

From the Senate: (Out of order) Ordered. the House concurring, that no bills or resolves except such bills or resolves as are necessary to carry out and put into effect the legislation proposed in the Governor's Message to the Legislature shall be received by this Legislature, except by unanimous consent in the body in which it is introduced.

Comes from the Senate read and passed.

Mr. Hill of South Portland offered House Amendment "A" to the above Senate order and moved its adoption, as follows:

HOUSE AMENDMENT "A" to Senate Order relative to restricting introduction of bills and resolves, to matters contained in Governor's message.

Amend said Order by inserting after the word "Legislature" in the fourth line of said Order the following: "and such Bills and Resolves as are intended only to facilitate the business of this Special Session of the Legislature."

Mr. HILL of South Portland: Mr. Speaker, in explanation of the proposed amendment, perhaps I should say that it is designed to correct the Joint Order limiting the introduction of bills and resolves so as to make it possible to pass without unanimous consent such resolves as may be necessary relating only to the action of the Legislature, particularly the payroll resolve.

Thereupon, House Amendment "A" was adopted, and the order as amended was adopted in non-concurrence, and sent up for concurrence.

From the Senate: Ordered, the House concurring, that three thousand copies of the Governor's Message be printed.

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

Mr. DAVIS of Fairfield: Mr. Speaker, out of order and under suspension of the rules, I wish to present an act relating to old age assistance, and I move that the bill be received and referred to the committee on Appropriations and Financial Affairs, and that one thousand copies be printed.

The SPEAKER: The Clerk will read the title:

The CLERK: House Paper 1884, an act relating to old age assistance.

Thereupon the bill was received and referred to the committee on Appropriations and Financial Affairs, and 1,000 copies ordered printed.

From the Senate: Ordered, the House concurring, that 350 copies of the Legislative Record for the Special Session of 1936, convened on December 16th, be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, and the remainder to be deposited in the State Library for exchange and library purposes; and,

Be it further ordered, that 350 copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the departments under the direction of the Document Clerk.

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

From the Senate: Bill an act relative to the Deer Isle-Sedgwick Bridge District, S. P. 740.

Comes from the Senate, received out of order and under suspension

of the rules and referred to the committee on Judiciary, and 500 copies ordered printed.

In the House, the bill was so referred in concurrence.

Mr. CHURCHILL of Brewer: Mr. Speaker, out of order and under suspension of the rules I have here an order which I wish to present and move its passage:

Ordered, the Senate concurring, that free telephone service during the present Special Session be provided for each member and officer of the House and Senate to the number of ten calls, of reasonable duration, from Augusta to points within the limit of the State of Maine, and that each member and officer of the House and Senate be provided with a card to be certified to by the Secretary of State or his deputy. The cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates.

The order received passage and was sent up for concurrence.

On motion by Mr. Parsons of Hartford.

Adjourned until ten o'clock tomorrow morning.