

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

SENATE

Wednesday, January 23, 1935.

Senate called to order by the President.

Prayer by the Rev. J. H. Bessom of Hallowell.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

Communication

To the Members of the Eighty-Seventh Legislature of the State of Maine:

The Inaugural of the Chief Executive, under the heading "Relief" contained the following:—

"There is no emergency relief law whereby the State can assist the community in the care of the poor.

"The situation is serious.

"The times force upon us the conclusion that the State must recognize the inability of many cities and towns to care for the poor, and its own responsibility to relieve distress and suffering where municipalities are unable to act."

I recommend the immediate appropriation of fifty thousand dollars to be expended by the Commissioner of Health and Welfare in cases where cities and towns are unable to care for the poor and needy.

Many of the towns in Aroostook County require immediate relief.

Other cities and towns require immediate relief.

This situation is not entirely confined to Aroostook.

Under the recent pronouncement of the President announcing the relief policy of the Administration, the municipalities are required to care for the unemployables.

This duty rests first upon the municipalities.

Where the municipalities are unable to perform this humane obligation, the State should immediately assume the care of the unemployables and those needing relief.

On Saturday and Monday last, the Aroostook situation was taken up with the Federal Relief Administration at Washington.

The Relief Administration stands ready to assist in the care and support of the employables that cannot secure work at the present time, but with the understanding that either the municipality or the State care for the unemployables.

The situation is so critical that I am obliged to suggest and recom-

mend to the Legislature the immediate passage of emergency legislation, and by immediate, I mean today, authorizing the expenditure of fifty thousand dollars, or such part as may be necessary to care for the unemployables and those needing assistance, in those municipalities of the State where their ability to care for the poor has become impossible.

Food and clothing must be made immediately available.

Wires urging immediate action from officials and citizens are constantly coming to me.

This recommendation is in line with the recommendation submitted in the Inaugural of the Chief Executive that for the next two fiscal years, the Commissioner of Health and Welfare be given the authority and provided with the financial ability to handle an emergency such as now exists in Aroostook and some few cities and towns in the State.

The Chief Executive will then immediately upon the passage of this legislation, file an application for Federal funds to care for the employables in the municipalities needing assistance.

(Signed) LOUIS J. BRANN,
Governor.

January 23, 1935

Thereupon, the foregoing communication was referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

The following bills and resolves were received and on recommendation by the committee on reference of bills were referred to the following committees:

Inland Fisheries and Game

Mr. Hussey of Kennebec presented bill "An Act Relating to Trapping." (S. P. 161).

(500 copies ordered printed.)
Sent down for concurrence.

Judiciary

Mr. Burkett of Cumberland presented bill "An Act Relating to Opometry." (S. P. 162).

(500 copies ordered printed.)
Sent down for concurrence.

Military Affairs

Mr. Fernald of Waldo presented bill "An Act to Provide for the Completion of the Payment of a Bonus to Maine Soldiers and Sailors in the War with Spain." (S. P. 163).

(500 copies ordered printed.)
Sent down for concurrence.

Legal Affairs

Mr. Weeks of Somerset presented Bill "An Act to Repeal Acts Incorporating the Town of Concord." (S. P. 164)

Mr. Cowan of Lincoln presented Bill "An Act Relating to the Annual Sessions of the County Commissioners of Lincoln County." (S. P. 165)

The same Senator presented Bill "An Act to Prohibit the Dumping of Refuse in the Waters of Damariscotta River." (S. P. 166)

Sent down for concurrence.

Pensions

Mr. Winn of Androscoggin presented "Resolve Providing for a State Pension for Eugene Stone of Lisbon." (S. P. 167)

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Cowan of Lincoln presented Bill "An Act Regulating the Taking of Alewives in Damariscotta River." (S. P. 168)

(500 copies ordered printed.)

Sent down for concurrence.

Ways and Bridges

Mr. Cowan of Lincoln presented "Resolve in Favor of the Town of Bremen." (S. P. 169)

Mr. Billings of York presented "Resolve in Favor of Tatnic Road." (S. P. 170)

Mr. Fernald of York presented "Resolve in Favor of the City of Saco." (S. P. 171)

Mr. Cowan of Lincoln presented "Resolve in Favor of the Town of Damariscotta." (S. P. 172)

Sent down for concurrence.

Reports of Committees

Mr. Jackson of Sagadahoc from the Committee on Banks and Banking on Bill "An Act to Amend the Law Relating to Savings Banks Investments" (S. P. 86) (L. D. 14) reported that the same ought to Pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

The same senator from the same committee on Bill "An Act to Amend the Law Relating to Industrial Banks Investments" (S. P. 87) (L. D. 15) reported that the same ought to Pass in a new draft. (S. P. 175)

Which report was read and accepted, and the bill laid on the table for printing under the joint rules.

Orders of the Day

The President laid before the Senate, Senate Order relative to expenses of members of the Governor's Council, tabled on January 22nd by Mr. Fernald of Waldo pending passage and today assigned; and the Chair recognized that Senator.

Mr. FERNALD of Waldo: Mr. President and members of the Senate, there will shortly be introduced, if that has not already been done at this time, a bill contemplating the abolition of the Governor's Council. Now, we as reasonable people of Maine differ as to the merits of that proposition but I do have this information, that some sixty-seven-odd members of the House and Senate are favorably inclined to the proposition and it is my feeling that before the proposition is presented to the committee to abolish the Governor's Council and before the merits of that proposition are brought before this honorable body or brought before the House, we should first inquire into the proposition to the extent of finding out something about the Governor's Council.

How much is the Governor's Council costing the taxpayers of Maine? It may be that the cost is so small and their contribution so great that it would be inexpedient to pass a law abolishing the Governor's Council. On the other hand there are some of us who feel that perhaps we are paying too much for this fifth wheel to our governmental machinery and that perhaps if we eliminated that portion of our government perhaps our government would be just as useful, just as effective and we would save, perhaps, thirty or forty thousand dollars a year. And if we could take care of that thirty or forty thousand dollars a year in that manner we might well spend it in Aroostook County in conformity with the message of the Governor this morning. And I feel that the expenditure of thirty or forty thousand dollars to take care of hungry and needy people is of much more interest to the people of Maine and to the taxpayers of Maine than the perpetuation in political office of a group of people who can well take

care of themselves and who are performing no legitimate public service.

I think the people of Maine are entitled to know how much the Governor's Council is costing us. I think the members of the Senate are entitled to know and I think the members of the House are entitled to know. Sooner or later we are going to be faced with the problem of knowing exactly what our government is costing, and it is with that idea in mind, and that idea alone, that I have introduced this order with the hope that perhaps we could get to the problem and analyze it as a business man would his balance sheet, and find out just where we are and how much we are paying for this branch of our government. We know how much the Senate costs and we know how much the House costs and we know how much the office of the Secretary of State costs and how much all our governmental offices cost, and I think it is time that we found out just what the Governor's Council costs us and in that way we can face the problem clearly and squarely and as businessmen and business women.

Mr. President, I move at this time that the order receive passage.

Mr. HARMON of Hancock: Mr. President, may I ask that the order be read.

(The Secretary read the order).

Mr. HARMON: Mr. President, it would seem to me that that is quite a task to put upon the Controller in so short a time. It seems to me that further time should be given to make that report.

Mr. FERNALD: Mr. President, I would suggest, if I may, through the Chair, for the information of the gentleman from Hancock (Senator Harmon) that in December of 1933 the same order was drafted and before presenting the order I got in touch with the Controller and he felt at that time that he could furnish the information within the time required. As a matter of fact, he said he could furnish it sooner. I believe there is no question as to the time limit but if the gentleman (Senator Harmon) still insists or feels that it is unreasonable I am willing to strike the question of time out, but I believe it will be no hardship for the Controller to furnish it within forty-eight hours.

The PRESIDENT: The question

before the Senate is upon the passage of the order.

Thereupon, the order received passage.

On motion by Mr. Hussey of Kennebec,

Recessed, until this afternoon at four-thirty o'clock.

After Recess

The Senate was called to order by the President.

Report of Committee

(Out of order and under suspension of the rules)

Mr. Hussey from the Committee on Appropriations and Financial Affairs on Communication from Governor Louis J. Brann, suggesting and recommending the immediate passage of emergency relief legislation (S. P. 174) reported the same in the form of bill, "An Act Permitting the State to Render Aid to Persons in Organized and Unorganized Territory" (S. P. 177) and that without further reference to a committee and under suspension of the rules the same Ought to Pass.

Which report was read and accepted and under suspension of the rules the bill was given its first reading without further reference to a committee.

Thereupon, upon motion by Mr. Hussey of Kennebec, the rules were suspended and the bill was given its second reading.

Mr. HUSSEY of Kennebec: Mr. President, I would like to make a brief explanation of this bill because I know it must seem to quite a lot of you, I presume, that a fifty thousand dollar expenditure without an explanation may be a little odd. You probably all know relief cases in the state are handled, or should be handled, through towns, municipalities or through plantation funds. It has come to our notice and to the notice of the state officials that funds are not available in some of the towns and unorganized townships. They have been making demands upon the authorities here to such an extent that it is absolutely necessary that some fund be set up to take care of these demands. Our Health and Welfare Department is given the power to give assistance to citizens or people who do not have any stated address or known residence but this does not take into consideration any citi-

zen of a town who is listed on their voting list and these are the people whom this bill for fifty thousand dollars will assist.

Also, in order that we can get additional funds to meet this the Federal Government has said that they will not give any direct relief to unemployed. The only way that they will give us relief is upon projects, and now they also have a provision that projects cannot be started in any town of less than five thousand population. We have got a ruling whereby if the State will give assistance to the unemployed or the physically disabled that they will turn over practically a hundred thousand dollars a month to assist in making employment in these townships. That is going beyond their set rule of not putting any projects into towns of less than five thousand persons.

So you can see that it is quite

necessary that we make this appropriation at this time. If there are any questions that anyone would like to ask through the Chair I will be glad to answer them.

Thereupon, the bill was passed to be engrossed.

Sent down for concurrence.

(Emergency Measure)

Bill "An Act Permitting the State to Render Aid to Persons in Organized and Unorganized Territory." (S. P. 177)

Which bill being an emergency measure and having received the affirmative vote of 27 members of the Senate, was passed to be enacted.

On motion by Mr. Burkett of Cumberland,

Adjourned, until tomorrow morning at ten o'clock.