

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

IN SPECIAL SESSION

October 26, 1937

**KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE**

HOUSE

Thursday, October 28, 1937.

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

Prayer by the Rev. Mr. Gesner of Augusta.

Journal of the previous session read and approved.

From the Senate: The following resolution:

Whereas, the members of the Senate and House of Representatives of the Eighty-eighth Legislature have learned with sorrow of the death of the Honorable Herbert E. Wadsworth, late a member of the Executive Council; and

Whereas, by his decease the State of Maine has suffered the loss of a public spirited citizen and benefactor and the State Government the valuable services of a man well qualified to hold high office;

Now Therefore Be It Resolved, by the Senate and House of Representatives that the State of Maine mourns the decease of the late Herbert E. Wadsworth; and

Be It Further Resolved, that a copy of this Resolution be entered in the Journals of the Senate and House of Representatives and that a copy be transmitted to the bereaved family (S. P. No. 552)

Comes from the Senate read and adopted.

In the House, the resolution was read and unanimously adopted by a rising vote, in concurrence.

Paper from the Senate disposed of in concurrence.

From the Senate: Bill an act authorizing districts, cities, towns and plantations to establish, acquire, own and operate Public Utilities, S. P. 543, L. D. 1075, which was referred to the committee on Public Utilities in concurrence in the House, on October 27th.

Comes from the Senate, after re-consideration of its former action, referred to the next Legislature in non-concurrence.

In the House, on motion by Mr. Ellis of Rangeley, that body voted to recede and concur with the Senate in the reference of this bill to the next Legislature.

Passed To Be Enacted

(Emergency Measure)

H. P. 1902, L. D. 1077: An act providing for the reduction in fees for registration of motor vehicles.

The **SPEAKER**: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds of the entire elected membership of this body. As many as are in favor of the passage of this bill to be enacted—

Mr. **ELLIS** of Rangeley: Mr. Speaker, I move that when the vote is taken, it be taken by the yeas and nays.

The **SPEAKER**: Under the Rules, this requires the assent of one-fifth of the members present. As many as are in favor of the motion of the gentleman from Rangeley, Mr. Ellis, that the vote be taken by the yeas and nays will rise and remain standing until counted and the monitors will make and return the count.

A division of the House was had.

The **SPEAKER**: Obviously more than one-fifth of the membership of the House having arisen, the motion prevails and the yeas and nays are ordered. The Chair will remind the House that under the Rules, the yeas and nays having been ordered, no member is permitted to leave his seat until the roll has been called and the result determined and declared. The bill is an emergency measure and requires the affirmative vote for its passage of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of the bill to be enacted will answer yes to the roll call; those opposed will answer no. The Clerk will call the roll.

YEA—Alden, Allan, Portland; Allen, Bowdoin; Ayer, Barter, Batchelder, Bates, Belanger, Bird, Boothby, Bragdon, Brown, Bangor; Brown, Eagle Lake; Bruce, Bucknam, Buker, Burgess, Cambridge, Carleton, Chase, Church, Churchill, Colby, Coolidge, Crockett, Currier, Cushing, Davis, Day, Dean, Demers, Dennison, Donahue, Douglass, Dorr, Dow, Jay; Dow, Kennebunkport; Dow, Norway; Dwinall, Elliot, Ellis, Castle Hill; Ellis, Fairfield; Ellis, Rangeley; Emery, Erswell, Everett, Fellows, Fernald, Findlen, Flanders, Ford, Forgue, Fuller, Goss, Gyger, Haley, Hammond, Hariman, Harris, Hascall, Monmouth; Haskell, Lee; Haskell, Windham; Higgins, Dennysville; Higgins, Ellsworth; Hinckley, Hinman, Jewett, Keller, Larsen, Latno, Lausier, Leon-

ard, Lord, Mack, Maheu, Martin, Milford; Martin, Oakland; Maxell, Maxim, McGaughy, McGlauffin, Merrill, Meserve, Mosher, Murchie, Newton, Norwood, Noyes, Owen, Packard, Palmer, Parsons, Paul, Payson, Brooks; Payson, Portland; Peakes, Phair, Philbrook, Pike, Bridgton; Pike, Lubec; Plummer, Porell, Prince, Detroit; Prince, Harpswell; Ramsey, Robinson, Russ, Ryder, Sawyer, Sleeper, Smith, Van Buren; Snow, Stilphen, Stoddard, Stone, Story, Varney, Viles, Weatherbee, Weed, Whitney, Wilkes, Woodbury, Wyman, Young.

NAY—Eddy, Howes, Morgan, Russell, Tabbut, Thurston, Wallace.

ABSENT—Boucher, Fadden, Hamel, Harkins, Hodgkins, Labbee, Larrabee, Lee, Melanson, Poulin, Ramsdell, Richardson, Seabury, Smith, Westbrook; Thorne.

125 Yes, 7 No, 15 Absent.

The **SPEAKER**: One hundred and twenty-five having voted in the affirmative and seven in the negative, the bill is passed to be enacted.

(Emergency Measure)

H. P. 1903, L. D. 1078: An act to provide for Old Age Assistance; to guarantee a Minimum Educational Program and to provide revenue therefor.

Mr. **DONAHUE** of Biddeford: Mr. Speaker, I intend to vote against this measure and, for the purposes of the record and the record alone, I desire to state to the House my reasons therefor.

I am in favor of old age pensions. At the last session, I introduced a bill in this legislature which would pay to every person over the age of sixty-five a minimum of \$30 per month. I do not believe the proposed legislation here is sufficient to meet that situation.

When we assembled here last January, if the figures which were quoted at that time were correct, there were 25,000 needy persons over the age of sixty-five who would be entitled to the provisions of this act. If the statements we heard on or about August 10th of this year are correct, the same claim was set forth that there were the same 25,000 needy people over the age of sixty-five years; and I know of nothing that has caused a decrease in these figures.

I say that is my reason for voting against this act.

If you will refer to the Governor's message, he tells you that at the end of June 30 of next year, at the

end of the first year of the biennium, 9200 people will be on the rolls, What is going to happen to the 15,800 other needy cases which are just as deserving as these 9200 who will be picked out by the Commission to receive this aid?

I say that we are not meeting the problem by this legislation.

The amount of your appropriation for the year ending June 30, 1938, conclusively shows that not more than 9200 people can be placed on the rolls, because if 9200 people are paid \$30 a month, \$15 of which is contributed by the Federal government and \$15 by the State, I say that the amount of money you are setting up here will pay these 9200 people for a period of only four months.

I say further that the amount of money that you set up for the next year, the amount of \$1,700,000, on the basis of the payment of \$30 a month to 9200 people, will only take care of that. And again I say: What happens to the other 15,800 people who are just as needy?

I do not agree with the wording of the preamble or the emergency clause. What does it say? "Whereas, failure to enact some legislation will result in hardship and suffering to many deserving and destitute people in this state."

I say this: We have those people right here and now, and I say it is the duty of this Legislature at this time to meet that problem, not defer it, but to meet it now. Those people have been waiting for this Legislature to meet this problem since January 1 of this year. We have not met it, and we do not meet it with this bill.

I go farther, and I say this: That it is the duty of this Legislature to determine what appropriations shall be given to each and every department, and I say it is the duty of this Legislature to determine what that amount shall be.

Now if these departments have more money than they need, if our Budget Committee and if our Appropriation Committee—and our acts were approved by this Legislature—if we were in error in setting up the amounts that we did for each department appropriation, then let the Legislature correct it. That is our duty. There is nothing in this bill that corrects it. That is our duty. The law says it is.

We acted last January on the budget as submitted by the Gover-

nor. Under the law that was his budget, his and his alone, the credit or the blame. The Budget Committee, under the law, acts as an advisory committee to the Governor, but the Governor can disregard each and every recommendation of that Budget Committee.

Further, that appropriation bill as finally passed again became the Governor's when he signed that bill. If he did not believe at that time that these appropriations were necessary, then he should have returned it to us. And I say here and now that this legislation does not meet the problem, and that it is our duty to face these appropriations if they are wrong, so that future legislatures can tell what the needs of the department were during the biennium. And I say in the name of the 15,800 people—and I say this sincerely, because in the last two months I have had a lot of needy people come into my office, some of them crying—in their behalf I say I shall vote against this bill.

We all know that last year there were a lot of cases approved, and the poor unfortunates got slips back from your Department of Health and Welfare. And what did the slips say? "You are eligible for old age pensions, but we haven't got any funds." That is what they said. There were more than 9200 of those cases. If my memory serves me right, I think we have an official statement in our Legislative Record that there were at least 12,000 cases.

If the statement is right that there are 25,000 needy people in the State of Maine entitled to the provisions of this act, then let us do our duty and appropriate sufficient money to take care of those aged and not have John Jones get it and Tom Brown not get it, and both of them to be equally deserving.

The SPEAKER: The pending question is on the passage of the bill to be enacted.

Mr. MURCHIE of Calais Mr. Speaker, it was not my intention at this session of the Legislature to have one word to say, but, following the remarks of my firebrand friend from down the line, I feel I simply ought to urge the members of this Legislature that they will not be influenced by a statement of that kind.

I have no particular ability and no qualities as a speechmaker, but

I can see and see plainly enough that this is an attempt on the part of a certain group to drive us into further taxation, and the mandate of the people said, "We do not want further taxation."

I am satisfied that while the gentleman from Biddeford, Mr. Donahue, says there are 25,000 on the list, I know and I know well enough, due to my findings in recent days, that the Governor and his Council are making a candid and honest and sincere effort and have succeeded in cutting appropriations to the extent submitted, and they have up their sleeve—although I am not in a position to give it out—I feel sure they have up their sleeve information that further reductions can be made. I wish, members, I could go on further and tell you the ways.

I hope you will not be influenced by the remarks of the gentleman from Biddeford, Mr. Donahue. Nine thousand persons will be on the list, and no sane individual could hope to have the thing build up to more than nine thousand persons by the end of next June. And, following the desires of the party in control here, I can assure you that the aged people will be taken care of in a reasonable time and as soon as it can be expected.

Mr. VARNEY of Berwick Mr. Speaker, I do not intend to say but a very few words, but I want to suggest that I cannot understand the logic of my good friend from Biddeford, Mr. Donahue, when he stands up here and tells us about the 25,000 or 20,000 old age cases that are coming to him and crying and want help, and then he tells us he is going to vote against the measure; he finds no fault with the measure but he says he is going to vote against a measure that is going to decrease by at least 14,000 this 24,000 that he claims are coming and crying to him.

That looks to me like a bid to the old people, that he is telling them through the record here that he wants to help them, but he is going to turn around and try to defeat them, for what reason I do not know.

Last winter I came down here and bitterly opposed a measure that was proposed all through this Legislature. In the final session I gave in and voted in favor of a sales tax, a tax that was very detrimental, I felt, to the people from my dis-

trict, and I did it because I had at heart the interests of these same aged people who needed a pension, and I did it for no other reason. I thought I could see at that time, and so stated in the record, that to continue to vote against that measure because I did not like the measure would be detrimental to the old age pension program.

I am down here now to do something for these people, and I certainly hope that no member of this Legislature will be fooled by the statements that have just been made by the gentleman from Biddeford, Mr. Donahue.

Mr. RUSSELL of Gray: Mr. Speaker, I briefly want to state my stand on this question. I think everyone here knows that I am in favor of an old age pension and I believe it is quite likely that this measure will not take care of every case that will be brought up; in fact I am sure that it cannot do so immediately. But from the standpoint of a municipal officer who comes in daily touch with these cases I want to say this: If four people come to me and are in desperate need, if I can help two of them, my conscience is that much relieved. I had rather have two suffer than four although I do not want anyone to suffer.

I would like it if every deserving person in this State could have an old age pension, and I hope sometime that they may, but I cannot find it in my conscience to play politics on this measure. I voted and fought consistently against a sales tax, and I am not sorry, although perhaps that caused some suffering for the last two months to those deserving of a pension. However, I must say that this seems to be absolutely the best thing that we can get at the present time, and as a Democrat and a political opponent of Governor Barrows, I want to give him full credit in that I believe he has heartily gone into this thing and done the best he can according to the dictates of his conscience. I feel it my duty, if it be the last thing that I ever do in the Legislature, to support this bill even though I think that it does not thoroughly cover the situation. (Applause)

The SPEAKER: This bill, having had its three several readings in the House and having been passed

to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, the committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that the bill be passed to be enacted?

Mr. NOYES of Franklin: Mr. Speaker, I move that when the vote is taken, it be taken by the yeas and nays.

The SPEAKER: Under the Rules, this requires the assent of one-fifth of the members present. As many as are in favor of the yeas and nays will rise and remain standing until counted and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: Obviously a sufficient number having arisen, the motion prevails and the yeas and nays are ordered. The bill is an emergency measure and requires for its passage the vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of the bill to be enacted will answer yes to the roll call; those opposed will answer no. The Clerk will call the roll.

YEA—Alden, Allan, Portland; Allen, Bowdoin; Ayer, Barter, Batchelder, Bates, Belanger, Bird, Boothby, Boucher, Bragdon, Brown, Bangor; Brown, Eagle Lake; Bruce, Bucknam, Buker, Burgess, Cambridge, Carleton, Chase, Church, Churchill, Colby, Coolidge, Crockett, Currier, Cushing, Davis, Day, Dean, Demers, Dennison, Douglass, Dorr, Dow, Jay; Dow, Kennebunkport; Dow, Norway; Dwinall, Eddy, Elliot, Ellis, Castle Hill; Ellis, Fairfield; Ellis, Rangeley; Emery, Erswell, Everett, Fadden, Fellows, Fernald, Findlen, Flanders, Ford, Forgue, Fuller, Goss, Gyger, Haley, Hamel, Hammond, Harkins, Harriman, Harris, Hascall, Monmouth; Haskell, Lee; Haskell, Windham; Higgins, Dennysville; Higgins, Ellsworth; Hinckley, Howes, Jewett, Keller, Larsen, Latno, Lausier, Lee, Leonard, Lord, Mack, Maheu, Martin, Milford; Martin, Oakland; Maxell, Maxim, McGaughy, McGlauffin, Melanson, Merrill, Meserve, Morgan, Mosher, Murchie, Newton, Norwood, Noyes, Owen, Packard, Palmer, Parsons, Paul, Payson, Brooks; Payson, Portland; Peakes, Phair, Philbrick, Pike, Bridgton; Pike, Lubec; Plummer, Porell, Prince, Detroit; Prince, Harpswell; Ramsey, Robinson, Russ, Russell, Ryder, Sawyer, Seabury, Sleeper, Smith, Van Buren; Snow, Stilphen, Stoddard, Stone, Story, Tabbu, Thurston, Varney, Viles, Wallace, Weatherbee,

Weed, Whitney, Wilkes, Woodbury, Wyman, Young.

NAY—Donahue.

ABSENT—Hinman, Hodgkins, Labbee, Larrabee, Poulin, Ramsdell, Richardson, Smith, Westbrook; Thorne.

137 Yes, 1 No, 9 Absent.

The SPEAKER: One hundred and thirty-seven having voted in the affirmative and one in the negative, the bill is passed to be enacted.

Mr. ELLIS of Rangeley: Mr. Speaker, to expedite the business we are here for, I ask unanimous consent that all concurrent matters that come before us for action during the remainder of the session be forthwith sent to the Senate after we have acted upon them.

The SPEAKER: If there is no objection, it is so ordered.

Passed to be Enacted (Emergency Measure)

H. P. 1904, L. D. 1079: An act amending the law relating to unemployment compensation.

The SPEAKER: This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and remain standing until counted and the monitors will make and return the count.

A division being had,

One hundred and twenty-eight voting in the affirmative and none in the negative, 128 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

(Emergency Measure)

H. P. 1906, L. D. 1080: An act relating to enforcement of the liquor laws.

The SPEAKER: This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. As many as are in favor of the passage of this bill to be enacted will rise and remain standing until counted, and the monitors will make and return the count.

A division being had,

One hundred and thirty-one voting in the affirmative and none in the negative, the bill was passed to be enacted.

Papers from the Senate, out of order and under suspension of the rules, disposed of in concurrence.

Orders of the Day

On motion by Mr. Leonard of Hampden, the House voted to reconsider its action of yesterday whereby H. P. 1927, L. D. 1108, bill an act imposing an income tax, was referred to the committee on Taxation.

Mr. LEONARD: Mr. Speaker, acting under the instructions of the Grange committee, I now ask leave to withdraw the bill.

The SPEAKER: The gentleman from Hampden, Mr. Leonard, asks leave to withdraw the bill. Is there objection to its withdrawal? The Chair hears none, and declares the bill withdrawn.

Mr. PACKARD of Houlton: Mr. Speaker, I move that the House reconsider its action of yesterday whereby L. D. 1107 was referred to the committee on Taxation - - -

The SPEAKER: The Chair understands that the Clerk has not in his possession the papers to which the gentleman refers. If the gentleman wishes to make that motion, it may be possible for the Clerk to obtain the papers. The motion is not in order unless the papers are in the possession of the Clerk. The Chair further understands that at the present time the papers are in the possession of the Senate.

Mr. PACKARD: Mr. Speaker, I withdraw my motion.

The SPEAKER: The gentleman from Houlton, Mr. Packard, withdraws his motion.

The SPEAKER: Is there any further business to come before the House at this time under Orders of the Day? The Chair understands that meetings of the several committees to which bills have been referred will be held as soon as possible after both the House and Senate have recessed this forenoon. The Chair hopes that the several committees will use all proper expedition to facilitate the disposition of the business before the Legislature. It seems advisable to the Chair that when a recess is taken, it shall be taken to a definite time in order that the committees may act accordingly. What is the pleasure of the House?

On motion by Mr. McGlauffin of Portland,
Recessed until 2 P. M.

Afternoon Session

2:25 P. M.

Called to order by the Speaker.

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

Mr. WILKES: Mr. Speaker, I ask unanimous consent to address the House.

Consent was granted.

Mr. WILKES: Members of the House: There have been many requests from a great many merchants and a great many citizens, voters of the State of Maine, to pass a chain store tax bill. I realize that this is inexpedient at this time, particularly in view of the fact that we are nearing the completion of our legislative duties, having fulfilled the Governor's program one hundred percent, and particularly in view of economy. At this time I would like to introduce a resolve appointing a Recess Committee to study the advisability and the feasibility of introducing such chain store tax legislation, which may or may not be necessary, at the next 89th convening Legislature.

The SPEAKER: The gentleman from Portland, Mr. Wilkes, asks unanimous consent to present a resolve. Is there objection? The Chair hears no objection, the resolve is received, and the Clerk will read the title of the resolve.

The CLERK: Resolve creating a Recess Committee for the study of chain store tax legislation.

The SPEAKER: Does the gentleman desire to make any motion suspending the rules, or otherwise, with respect to this resolve.

Mr. WILKES: Mr. Speaker, out of order and under suspension of the rules, I would like to have the resolve read and passed, in view of the fact that it is an emergency measure.

The resolve is as follows:

STATE OF MAINE

In the Year of our Lord, Nineteen Hundred thirty-seven.

RESOLVE, Creating a Recess Committee for the Study of Chain Store Tax Legislation.

Emergency preamble. Whereas, a great many citizens of our state

have requested, from time to time, legislation for a chain store tax; and

Whereas, we are nearing the completion of our legislative duties called for at this special session; and

Whereas, in the interest of economy it is inexpedient at this time to submit such legislation for proper consideration during this special session; and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore, be it

Recess committee for study of chain store and income tax legislation, created. Resolved: That there be, and hereby is, created a legislative recess committee to consist of 2 members of the Senate to be appointed by the President of the Senate and 3 members of the House of Representatives to be appointed by the Speaker of the House, which committee shall be known as the committee for the study of chain store tax legislation.

Said committee shall meet as soon as convenient after appointment and organize by electing a chairman and a secretary. Said committee shall consider and investigate the necessity and desirability of legislation designed to raise revenue for the state by means of a chain store tax. Said committee shall consider and study similar laws existing in other states of the United States and determine so far as possible the results experienced thereunder.

Said committee shall report its findings and recommendations to the 89th Legislature, and in the event that said committee finds it desirable that such legislation be enacted, it shall draft a bill or bills for that purpose and have the same presented to the 89th Legislature.

Members of said committee shall receive their actual expenses incurred in the discharge of their duties as members thereof, said expenses to be approved by the governor and council and shall not exceed a total of \$200.

Emergency clause. In view of the emergency recited in the preamble,

this act shall take effect when approved.

Thereupon, out of order and under suspension of the rules, the resolve had its two several readings and was passed to be engrossed, and was sent up for concurrence.

Reports of Committees

(Out of order and under suspension of the rules)

Mr. Brown from the committee on Public Health reported ought to pass on bill an act relating to the purity of the drinking water supplied to North Windham, (H. P. No. 1924) (L. D. No. 1109)

Report read and accepted, and on motion by Mr. Haskell of Windham, out of order and under suspension of the rules, the bill was given its three several readings, passed to be engrossed and sent up for concurrence.

Mr. Ellis from the committee on Ways and Bridges reported ought to pass on resolve relating to the road from Brownville to Millinocket (H. P. No. 1916) (L. D. No. 1089)

Report read and accepted and the resolve was given its two several readings, under suspension of the rules, passed to be engrossed and sent up for concurrence.

Mr. McGlauffin from the committee on Judiciary reported ought not to pass on bill an act relating to the registration of stone-crushers, well-drillers, graders, rollers and wood-sawing outfits (H. P. No. 1905)

Mr. Philbrick from same committee reported ought not to pass on bill an act to aid to dependent children (H. P. No. 1922) (L. D. No. 1090)

Same gentleman from same committee on bill an act relating to exceptions of persons entitled to parole (H. P. No. 1923) (L. D. No. 1094) reported that same be referred to the next legislature.

Same gentleman from same committee reported same on bill an act providing that the State of Maine may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole (H. P. No. 1909) (L. D. No. 1092)

Reports read and accepted and sent up for concurrence.

Mr. Noyes from the committee on Inland Fisheries and Game on resolve relating to fishing in Cobbos-

seecontee Lake (H. P. No. 1901) (L. D. No. 1074) reported that same be referred to the 89th legislature.

Mr. Bruce from the committee on Salaries and Fees reported same on bill an act relating to clerk hire in the office of Register of Deeds in the county of Lincoln (H. P. No. 1912) (L. D. No. 1099)

Mr. Higgins from the committee on Legal Affairs on bill an act relating to temporary licenses for physicians and surgeons (H. P. No. 1926) (L. D. No. 1093) reported that legislation thereon is inexpedient.

Mr. Paul from same committee reported same on bill an act amending an act to incorporate Town of Orono School District (H. P. No. 1925) (L. D. No. 1101)

Mr. Ellis from the committee on Ways and Bridges on resolve relating to Boothbay Harbor-Southport Bridge (H. P. No. 1918) (L. D. No. 1097) reported that same be referred to the next legislature.

Same gentleman from same committee reported ought not to pass on resolve relating to State Highway in Boothbay, Boothbay Harbor and Southport (H. P. No. 1917) (L. D. No. 1098)

Reports read and accepted and sent up for concurrence.

Mr. Dow from the committee on Legal Affairs on bill an act to provide for the surrender by the town of Albany of its organization, (H. P. No. 1910) (L. D. No. 1102) reported that Committee Amendment A herewith submitted be adopted and the bill as amended be passed.

Report read and accepted and the bill was given its three several readings under suspension of the rules.

The SPEAKER: The Clerk will read Committee Amendment A.

Committee Amendment A to H. P. 1910, L. D. 1102, bill an act to provide for the surrender by town of Albany of its organization.

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

'Emergency clause. In view of the emergency cited in the preamble hereof, this act shall take effect when approved.'

Thereupon Committee Amendment A was adopted, and the bill as amended by Committee Amendment A was passed to be engrossed and sent up for concurrence.

Papers from the Senate, out of

order and under suspension of the rules.

From the Senate: Ordered, the House concurring, that all joint standing committees that now have any bill or resolve previously referred them at this special session of the Legislature, return same forthwith to the respective branch of the Legislature from which it was received, S. P. 554.

Comes from the Senate read and passed.

In the House, on motion by Mr. Ellis of Rangeley, tabled pending passage in concurrence.

From the Senate: Ordered, the House concurring, that under the direction of the Governor and Council an analysis of the cash position of the State of Maine be published in the daily and weekly newspapers of the State and that a full and complete explanation of the same be made to the inhabitants of Maine.

The cost thereof to be paid out of the general funds of the State, S. P. 553.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

The SPEAKER: The Chair will suggest that the members remain within sound of the gong since additional papers may be received at any time from the Senate. The House may be at ease to assemble at the sound of the gong.

After Recess—3.40 P. M.

Called to order by the Speaker.

Papers from the Senate, out of order and under suspension of the rules, disposed of in concurrence.

From the Senate: Report of the committee on Ways and Bridges reporting ought to pass on bill on act relating to the general highway fund (S. P. 551) (L. D. 1085)

Comes from the Senate, report read and accepted and the bill passed to be engrossed.

In the House, report read and accepted in concurrence, and the bill given its three several readings, under suspension of the rules, and passed to be engrossed in concurrence.

From the Senate: Report of the

committee on Legal Affairs reporting ought to pass on bill an act relating to the sale of alcohol (S. P. 549) (L. D. 1082)

Comes from the Senate, report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A.

In the House, Senate Amendment A read by the Clerk and adopted in concurrence.

Thereupon, the rules were suspended, the bill given its third reading as amended by Senate Amendment A, and passed to be engrossed in concurrence.

From the Senate: Report of the committee on Legal Affairs, reporting ought to pass on bill an act to provide for the surrender by town of Edmunds of its organization (S. P. 544) (L. D. 1084)

Comes from the Senate, report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A.

In the House, Senate Amendment A read by the Clerk and adopted in concurrence.

Thereupon, the rules were suspended, the bill given its third reading as amended by Senate Amendment A, and passed to be engrossed in concurrence.

From the Senate: Report of the committee on Legal Affairs, reporting ought to pass on bill an act creating the Port of Northeast Harbor Authority (S. P. 547) (L. D. 1086)

Comes from the Senate, report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A.

In the House, Senate Amendment A read by the Clerk and adopted in concurrence.

Thereupon, the rules were suspended, the bill given its third reading as amended by Senate Amendment A, and passed to be engrossed in concurrence.

From the Senate: Resolve creating a Recess Committee for the study of chain store tax legislation, received in the House by unanimous consent, read twice under suspension of the rules and passed to be engrossed without reference to a committee earlier in the day.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House:

Mr. WILKES of Portland: Mr.

Speaker, I move that the House insist upon its former action and ask for a committee of Conference.

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

On motion by Mr. Stilphen of Dresden, the House voted to recede and concur with the Senate in the indefinite postponement of this resolve.

House at Ease

Reports of Committees

(Out of order and under suspension of the rules)

Mr. Ellis from the committee on Taxation reported ought to pass on resolve creating a recess committee on income tax legislation (H. P. No. 1930) (L. D. No. 1087)

Report read and accepted and the resolve given its two several readings under suspension of the rules, passed to be engrossed and sent up for concurrence.

Mr. Coolidge from same committee on bill an act providing for taxation of incomes of individuals and partnerships and franchises of corporations (H. P. No. 1929) (L. D. No. 1107) reported that same be referred to the 89th Legislature.

Mr. Maxim from same committee reported same on bill an act relating to licenses for retail stores and to equalize the business opportunities in the State of Maine (H. P. No. 1915) (L. D. No. 1105)

Mr. Fellows from same committee reported same on bill an act defining, regulating and taxing games of skill (H. P. No. 1913) (L. D. No. 1103)

Mr. Maxim from same committee reported same on bill an act to raise in excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes (H. P. No. 1928) (L. D. No. 1104)

Mr. LEONARD of Hampden: Mr. Speaker, is it in order for me to make a few remarks?

The SPEAKER: The gentleman may speak on the acceptance of the committee report.

Mr. LEONARD: I want to speak on the matter, Mr. Speaker. I want to make a few remarks in regard to my bill.

The SPEAKER: The gentleman will be in order.

Mr. LEONARD: Mr. Speaker and members of the Legislature, I am with the Governor on his economy plan, but would like to see some plan to aid more of the thousands that are looking to us for relief, and I think this bill for an excise tax on the earnings of power and light companies would be helpful.

The business and the profits of these utility companies increase every year. They are better able to pay than any other corporation now paying this tax. This tax is not complicated; it is fair and just and easily and cheaply collected. It will produce about \$500,000 a year and not cost the citizens of this State one cent. I feel sure no company would ask for an increase of rates, and I feel equally sure our Commission would not allow it should they ask for it.

I want to see the aged people, who are in need through circumstances many times beyond their control, aided as soon as possible.

It is hard for many to pay their taxes now, but the real and deeper hurt and suffering comes to those who do not have food, clothing and proper shelter.

The Governor could have used this money later for a real Christian act, for relieving mental and physical suffering. I regret that under the steam-roller of this special session this bill cannot receive consideration.

Thereupon, the reports of the committee were accepted, and sent up for concurrence.

Mr. Maxim from the committee on Taxation reported that the same be referred to the 89th Legislature on bill an act relating to licenses of retail stores and to equalize the business opportunities in the State of Maine (H. P. No. 1914) (L. D. 1106).

Mr. Davis from the committee on Inland Fisheries and Game reported same on bill an act relating to damage done by beaver (H. P. No. 1919) (L. D. No. 1088).

Mr. Higgins from same committee reported same on bill an act relative to hunting and fishing licenses; revocation of (H. P. No. 1921) (L. D. No. 1095).

Same gentleman from same committee reported same on bill an act relative to Game Preserves in Washington and Hancock Counties (H. P. No. 1908) (L. D. No. 1100).

Mr. Davis from same committee reported same on bill an act relative to Game Preserve in Orrington (H. P. No. 1920) (L. D. 1096).

Reports read and accepted and sent up for concurrence.

Mr. Payson from the Committee on Pensions on resolve providing for a State pension for Woodbury G. Love of Southport (H. P. No. 1911) reported that same be referred to the 89th Legislature.

Report was read and accepted and sent up for concurrence.

The SPEAKER: Mr. Flanders of Auburn, asks unanimous consent to present a bill entitled an act to appropriate money for the expenses of State government and other purposes for the fiscal years ending June 30, 1938, and June 30, 1939. Is there objection? The Chair hears no objection and declared the bill received.

On motion by Mr. Flanders the rules were suspended and the bill was given its first reading at this time without reference to a committee as follows:

STATE OF MAINE
In the Year of Our Lord Nineteen
Hundred Thirty-seven
H. P. 1932

AN ACT to Appropriate Money for the Expenses of State Government and Other Purposes for the Fiscal Years Ending June 30, 1938 and June 30, 1939.

Emergency preamble. Whereas, the present session of the legislature has enacted emergency legislation providing for payments for old age assistance and educational equalization, and

Whereas, payments under the provisions of this legislation will become immediately necessary, and

Whereas, extreme suffering will be caused by a delay of such payments, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of public peace, health and safety; now, therefore

Be it enacted by the People of the State of Maine, as follows:

Appropriations for necessary expenditures of government. In order to provide for the necessary expenditures of government for the next

2 fiscal years—from July 1, 1937 to June 30, 1938 and from July 1, 1938 to June 30, 1939—the following sums or as much thereof as shall severally be found necessary, as designated hereby appropriated out of any moneys in the state treasury, and the controller is hereby authorized to draw his warrants on the state treasury for the same, in accordance with work programs and allotments duly approved by the governor and council:

And be it further provided that the controller be authorized to close his books on July 31, 1938 and July 31, 1939, and any bills presented after those dates may be paid from current appropriations on recommendation of the controller if within the amounts of approved allotments;

Notwithstanding the provisions of sections 101 and 102 of chapter 2 of the revised statutes, the governor and council may by order direct the state controller to transfer to the general funds of the state such parts of any appropriations for departments and institutions as may be in the opinion of the governor and council necessary for the economical and prudent conduct of the state government.

HEALTH AND WELFARE

	1937-1938	1938-1939
Old Age Assistance	\$600,000	\$1,700,000
Educational Equalization	200,000	200,000
LEGISLATURE		
Special Session		
October 1937	12,000	

Emergency clause. In view of the emergency cited in the preamble hereof, this act shall take effect when approved.

Mr. FLANDERS of Auburn: Mr. Speaker, I imagine that some of the members do not understand the bill. I will say this is just carrying out the Governor's wishes on the appropriations for the next two years, to the end of his term; and if there are any questions anyone would like to ask, I would be very glad to answer them, or if anyone wants a conference and the Chair will declare a recess, I will be glad to do that; but this is just carrying out the wishes of the Governor in his message to the Legislature.

Thereupon, under suspension of the rules, the bill had its second reading, and on motion by Mr. Russ

of Caribou, under further suspension of the rules, the bill was given its third reading, passed to be engrossed, and sent up for concurrence.

On motion by Mr. Ellis of Rangeley, the House recessed to assemble at the sound of the gong.

After Recess—5.20 P. M.

Called to order by the Speaker:

Committee Report

(Out of order and under suspension of the rules)

Miss Smith from the committee on Banks and Banking, on bill relating to investments for savings banks (H. P. No. 1907) (L. D. No. 1091) reported that Committee Amendment A thereto be adopted and the bill as amended ought to pass.

The report was accepted, the rules were suspended, the bill given its two several readings.

Committee Amendment A to bill an act relating to investments for savings banks, H. P. 1907, L. D. 1091.

Amend said bill by striking out from the preamble the following words: "Whereas this error may seriously affect the legality of certain banking obligations and"

Thereupon, Committee Amendment A was adopted, the rules were suspended and the bill given its

third reading and passed to be engrossed as amended by Committee Amendment A, and sent up for concurrence.

Mr. McGLAUF LIN of Portland: Mr. Speaker, I move that we now recess until half-past seven this evening.

A viva voce vote being doubted, A division of the House was had.

Forty-nine voting in the affirmative and 52 in the negative, the motion did not prevail.

Mr. McGLAUF LIN: Mr. Speaker, I understand that there is not one thing we can do until this evening, and there you are.

The SPEAKER: The Chair understands likewise.

Mr. MORGAN of Farmingdale: Mr. Speaker, I move that the House adjourn until ten o'clock tomorrow morning.

A division of the House was had, Seventy-one voting in the affirmative and 27 in the negative, the motion prevailed, and the House adjourned until ten o'clock tomorrow morning.

The SPEAKER: There are still before the Legislature important bills, including the emergency appropriation bill, which bill requires a vote of two-thirds of the entire membership. It is therefore highly important that members be in attendance tomorrow morning at ten o'clock.