

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**SENATE**

January 14, 1937.

Senate called to order by the President.

Prayer by the Reverend A. W. Brown of Gardiner.

Journal of yesterday read and approved.

From the House:

Bill, "An Act to Establish a Section of the Boundary Line Between Windham and Raymond." (S. P. 36)

(In the Senate, on January 12, referred to the Committee on Towns.)

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Walsh of Androscoggin, tabled pending consideration.

Papers from the House disposed of in concurrence.

The following bills and resolves were received and on recommendation by the Committee on Reference of Bills, were referred to the following committees:

**Judiciary**

Mr. Fernald of Waldo presented bill, "An Act Relating to Finger Prints and Photographs of Persons Suspected of Crime." (S. P. 48)

(500 copies ordered printed.)

Sent down for concurrence.

Mr. Owen of Kennebec presented "Resolve Proposing an Amendment to the Constitution to Provide for a Change in the Term of Office of Judges of Municipal Courts." (S. P. 49)

(1000 copies ordered printed.)

Sent down for concurrence.

**Legal Affairs**

Mr. Goudy of Cumberland presented bill, "An Act Designating Columbus Day a Legal Holiday." (S. P. 50)

(500 copies ordered printed.)

Sent down for concurrence.

**Library**

Mr. Graves of Hancock presented "Resolve for the Purchase of One Hundred Copies of 'Mount Desert History.'" (S. P. 51)

Sent down for concurrence.

**Military Affairs**

Mr. Goudy of Cumberland 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. 52)

(1000 copies ordered printed.)

Sent down for concurrence.

**Ways and Bridges**

Mr. Graves of Hancock presented "Resolve in Favor of Long Island Plantation." (S. P. 53)

The same Senator presented "Resolve in Favor of the Town of Bluehill." (S. P. 54)

The same Senator presented "Resolve in Favor of the Town of Swan Island." (S. P. 55)

Sent down for concurrence.

**Orders**

On motion by Mr. Fernald of Waldo, it was

Ordered, that the Secretary of the Senate be requested to extend to John D. Pennell, 173 Bolton St., Portland, Maine, the thanks of the Senate for furnishing the Christian Science Monitor for the use of the Senators.

On motion by Mr. Fernald of Waldo, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, January 19th, 1937, at 4:30 o'clock in the afternoon. (S. P. 56)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House read and passed in concurrence.

**Orders of the Day**

On motion by Mr. Hussey of Kennebec the Senate voted to take from the table Senate Order relative to delegation to the Third General Assembly, tabled on January 13th by that Senator pending passage.

Mr. HUSSEY of Kennebec: Mr. President, on the first tabled matter relating to a delegation to the Third General Assembly I present an amendment and move its adoption. In explanation I will say that where the first order called for three delegates to the convention of the Third Assembly in Washington this one is calling for one. In explanation of why I believe the number should be cut down, I have here a letter from that Assembly, or its authorized delegate, whereby they have only requested one member from the Senate, one from the House and one from the executive department. Furthermore, I under-

stand that the Maine delegation has only one vote in that Assembly. Therefore, more than one delegate would be superfluous. I move the adoption of the amendment.

The Secretary read the amendment: "Senate Amendment 'A' to Senate Order relative to delegation to the Third General Assembly. Amend said order to read in the first, second, third and fourth lines 'Ordered, that the President of the Senate or a Senator designated by the President be appointed as a delegate to the Third General Assembly which convenes in Washington, D. C., on January 21, 1937. Such delegate shall be, and is hereby, instructed to return to this Body and report definite recommendations of the Third General Assembly and.' "

Senate Amendment "A" was adopted.

Mr. ASHBY of Aroostook: Mr. President, I move that the order with the amendment lie upon the table.

Mr. GOUDY of Cumberland: Mr. President, inasmuch as I am well aware of the fact that a motion to table is not debatable I would like to ask the privilege of the Senate at this time to speak out of order and to say to the Senate that if any delegate or delegation is going to attend this Assembly they must know it this morning. There have been a large number of letters and communications sent me to the effect that they would like to know as soon as possible. The delegation assembles on the 21st and it is mandatory that if anyone is to go they must know it this morning. Therefore if the order is tabled the opportunity for a delegate or a delegation to obtain reservations is lost and the passage of the order later would be of no avail. I simply say that for the benefit of the Senator from Aroostook, Senator Ashby.

Mr. ASHBY: Mr. President, I should like to know a little more about this but I have unlimited faith in the Senator from Cumberland, Senator Goudy, and if it is absolutely necessary—of course we could take no action tomorrow because the Senate will not be in session—if it is absolutely imperative that the order be passed this morning I withdraw my motion.

Consent to the withdrawal of the motion was granted.

Thereupon, the order as amended

by Senate Amendment "A" received a passage.

The PRESIDENT: The Chair at this time appoints as delegate to the Third General Assembly convening in Washington on January 21, 1937, the Senator from Cumberland, Senator Goudy.

#### Passed to be Engrossed

From the House, out of order and under suspension of the rules, bill, "An Act Relating to Old Age Assistance." (H. P. 63) (L. D. 11)

In the House, the bill was given its three several readings under suspension of the rules without reference to a committee and passed to be engrossed.

In the Senate, out of order and under suspension of the rules, the bill was given its two several readings without reference to a committee and passed to be engrossed.

#### Passed to be Enacted

(Emergency Measure)

(Out of order and under suspension of the rules)

An Act Relating to Old Age Assistance." (H. P. 63) (L. D. 11)

Mr. HUSSEY of Kennebec: In moving that this bill be passed to be enacted I would like to make a statement, Mr. President, of facts in order that there may be no misunderstanding concerning the provisions of this bill. If the members of the Senate will carefully scan the bill they will notice that it is similar to the one which we had in here at the last special session. It carries an estimated revenue of practically \$250,000 for the next six months. That \$250,000 is just a temporary assessment in order to carry on the Old Age Pension as set up by our former Council. There are on the pension rolls of Old Age Assistance approximately four thousand cases calling for an expenditure of between \$40,000 and \$45,000 a month and this proposed revenue coming in at approximately \$45,000 to \$50,000 a month will take care of the old age assistance names already on the books. It does not take care of any further cases. There are pending for payment now more than 2400 new cases and I feel that we should understand that the measure we are passing today is to take care of the cases already set up and will not take care

of any new cases. Of course, as the legislative session goes on we will have to provide new measures and new revenue to take care of the cases as they are later brought in and investigated.

Mr. FERNALD of Waldo: Mr. President and members of the Senate, we are all familiar with the fact that last month the Legislature of Maine was called into extraordinary session by Governor Brann and one of the recommendations that the Governor presented before the Legislature at that time was the need of an appropriation to continue Old Age Assistance. A bill was submitted to the Governor and to the Legislature through the Appropriations Committee. That bill passed the House by an overwhelming majority and received overwhelming support in the Senate but for certain reasons that no man has yet been able to clearly understand the Governor vetoed that bill, with the result that Old Age Assistance in Maine stopped because of said veto and we read in such papers as the Lewiston Sun of January the 14th on the front page, "No Old Age Pension Checks This Month."

Now, in the interim between the special session and this session we have all had an opportunity to return to our homes and to our firesides and I think it is almost our unanimous opinion that the folks back home are solidly behind the action of this legislature in passing this temporary old age assistance bill which was unfortunately, as we feel, vetoed by the Governor.

Now, what we are attempting to do today is to carry through our hand and carry on the policies enunciated in the bill that was presented to the last special session and we have before us an almost

identical bill. There have been a few changes as to date because several weeks of time have elapsed.

This is a temporary measure. Senator Friend of Somerset has a measure before you for a permanent old age pension which will be the basis of our discussion when we get ready to establish the permanent law, but this bill now before us is the bill to continue the old age assistance which has been vetoed by Governor Brann and which measure was spoken of by our present Governor. I believe that we will be passing one of the most important measures before this Legislature today when we enact into law the measure now before us and I think that we will receive the greatest commendation of the people of the state of Maine on our action today.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Hussey, that An Act Relating to Old Age Assistance be passed to be enacted. This is an emergency measure and requires the affirmative vote of two-thirds of the entire membership of the Senate. Is the Senate ready for the question?

A division of the Senate was had.

Thirty-one members of the Senate having voted in the affirmative and none opposed, the bill was passed to be enacted.

The PRESIDENT: Is there any further business to come before the Senate?

On motion by Mr. Malier of Androscoggin

Adjourned until Tuesday afternoon, January 19th, at four-thirty o'clock.