

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

# Ninetieth Legislature

OF THE

STATE OF MAINE



1941

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rule of cities and towns. I think when the great majority of the people in a city or town feel that they want to govern themselves in a certain way we ought to allow them to do it. It is for them to decide what kind of government they want; and it is my belief that if the government becomes too bad the people themselves will overturn it. I think Biddeford should have that right.

Now it has been pointed out that two years ago the bill that was passed was clearly and admittedly a political measure; it was not a fair bill, and I for one am willing now to change what we did two years ago. The bill before us would do that very thing. Biddeford has voted by a petition that they want the law changed. They have introduced before this Legislature a bill for our consideration. Now the Judiciary Committee is divided on just how it shall be voted on, whether or not we shall do it in this House or send it on to the people.

It has been pointed out that if we pass it then it need not go to the people, but if we do not pass it then we must send it on. I do not think we ought to subject the cities and towns in the State to that expense. As long as I believe that the bill should have a passage, I, for one, am willing to take the responsibility and act on it here rather than cause this unnecessary expense.

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the bill be substituted for the committee report. The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker and Members of the House: I want to say that I heartily concur with the remarks of the gentleman from South Portland (Mr. Hinckley). I believe that this is a matter where principle prevails largely over matters of politics, and I certainly hope the motion of the gentleman from Biddeford (Mr. Donahue) will prevail.

The SPEAKER: The Chair recognizes the gentleman from Fal-mouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: Just one minute is all I am going to take. Two years ago I felt this was rotten politics, and I want to say that the same thing is again before the House. I

believe the gentleman's motion should prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the bill be substituted for the report of the committee. The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker and Ladies and Gentlemen: The question as it presents itself to me—and I am wondering if the situation is not the same in the minds of other legislators as it is in mine—is that it is a peculiar situation, and perhaps I might be accused of not having a proper understanding of what I intend to say. The idea involved, as I see it, is: Why should we, a Republican Legislature in large majority, try to dictate terms to a city that is 95 per cent Democratic? We have some good, outstanding and square shooting Democrats in this House, and I propose to go along with the motion of the gentleman from Biddeford (Mr. Donahue).

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the House substitute the bill for the report of the committee. As many as are in favor of the motion of the gentleman from Biddeford, Mr. Donahue, that the House substitute the bill for the report of the committee will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the bill was substituted for the report of the committee.

The SPEAKER: The bill will lie on the table for printing under the Joint Rules.

The following Report:  
From the Senate:

April 15, 1941.

To the Honorable Senate and House of Representatives, of the Ninetieth Legislature of the State of Maine:

The Judiciary Committee to which was referred the initiative petitions proposing to the Legislature "An Act Relating to Elections in the City of Biddeford" (I. B. 2), reports that said petitions were filed in the office of the Secretary of State on March thirteenth, that the total number of legal signatures on all petitions proposing the above-mentioned act is 12,085, and that,

therefore, said petitions are sufficient for the purpose of submitting said act to the voters, for their acceptance or rejection; and the Committee recommends that said act, "An Act Relating to Elections in the City of Biddeford" (I. B. 2), be submitted to the voters of the State in accordance with the provisions of the State Constitution, for their action thereon.

Respectfully,

(Signed)

GAIL LAUGHLIN,

Chairman

Committee on Judiciary.

Came from the Senate read and accepted.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Donahue.

Mr. DONAHUE: Mr. Speaker and Members of the Ninetieth Legislature: For the same reasons as I stated to the House when I made my motion on the previous bill, I move, Mr. Speaker, that the House substitute the bill for the committee recommendation that the initiated act be submitted to the voters of the State for their action thereon.

This proposed act merely relates to the conduct of primary elections in the City of Biddeford. At the last State election the citizens overwhelmingly voted in favor of the retention of this law. For those reasons, I hope that the House will see fit to substitute the bill for the committee recommendation.

The SPEAKER: The gentleman from Biddeford, Mr. Donahue, moves that the House substitute the bill for the report of the committee. Is this the pleasure of the House?

The Chair recognizes the gentleman from Portland, Mr. McGlauffin.

Mr. McGLAUFLIN: Mr. Speaker, I merely want to say that the same argument that I just made also applies to this bill.

The SPEAKER: The gentleman from Biddeford, Mr. Donahue, moves that the House substitute the bill for the report of the committee. Is this the pleasure of the House?

The motion prevailed and the bill was substituted for the report of the committee.

(Tabled pending printing under the Joint Rules.)

## Orders

Mr. Murchie of Calais, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be paid to Committee clerks, messengers, stenographers and others for salaries and special services the amount stated opposite their respective names on a payroll list certified to the State Controller by the Chairman of the Committee on Appropriations and Financial Affairs.

The Order received passage in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker, I now move you, Sir, in order that we may speed up the progress of this Legislature, that this Order be sent forthwith to the Senate for approval.

Thereupon, the Order was sent forthwith to the Senate for concurrence.

On motion by Mr. Welch of Chapman, it was

ORDERED, that the Secretary of State be requested to prepare for the use of the members of the Legislature two hundred and twenty-five copies of a supplemental list of legislative counsel and agents including those registered from February 20, 1941, up to the present date.

On motion by Miss Deering of Bath, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

## House Reports of Committees Ought Not to Pass

Mr. Seeger from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the town of Greenville (H. P. 1088)

Mr. Hall from the Committee on Indian Affairs reported same on Bill "An Act relating to Adoptions in the Indian Tribes" (H. P. 1576) (L. D. 927)

Reports were read and accepted and sent up for concurrence.

**First Reading of a Printed Resolve**  
Resolve providing for the Payment of Certain Pauper Claims (H. P. 1919) (L. D. 1157)