

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

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and Bridges; tabled February 14th by Mr. Mills pending reference; and on further motion by the same gentleman, the Bill was referred to the Committee on Ways and Bridges, and sent up for concurrence.

On motion by Mr. Perkins of Boothbay Harbor, the House voted to take from the table the eighth tabled and unassigned matter, Majority Report "Ought to pass" as amended by Committee Amendment "A", and Minority Report "Ought not to pass" of the Committee on Judiciary on "Resolve, Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendums." (S. P. 107) (L. D. 233), tabled by that gentleman on February 13th pending acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I now move the acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, moves the acceptance of the minority report, "Ought not to pass."

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I want to discuss this matter with you briefly, not that I am trying to change your votes, but I want you to understand why I favor the bill:

Let me go back briefly in history to tell you something that the older members remember but some of the young ones know little about.

We formerly had what we call the convention system for nominating men to office. Under that convention system we had what were known as bosses and the ring. In those days sometimes one man or a small group of men determined who were to hold the public offices in the State of Maine. When I first moved to Portland in 1913 I was informed that the Governors of Maine had been selected for the next eight years. That political attitude was carried on down through the counties and the districts and even in the wards, and when I first served as a Councilman from Ward 9 in the City of Portland we even had our bosses in that ward.

It was said in those days that the Portland Water Company controlled the politics of Portland and that nobody could be elected to the

Board of Aldermen without their consent; so, so far as I know, I was the first exception on record. As it was at that time, from our section of Portland a man could not be elected to this Legislature unless he pledged himself ahead to support Eugene Hale for United States Senator. I know what I am talking about because I was one of the men who refused to pledge himself even to get to this Legislature, and I was defeated.

It was under those circumstances that the question of direct primary and the referendum came up. I supported both measures. The people of this State accepted them; and so from that time on we have elected our Representatives through the people and not through the bosses, and we have continued to have the referendum, which at that time provided and still does provide that a reference to the people may be had upon the petition of ten thousand names.

But since those days many things have happened. The women's vote has come into the picture and we have practically doubled the number of voters that we had when the referendum was adopted. In addition to that, our automobiles have so improved that now it is an easy thing to travel from one end of the State to the other, perhaps in a single day. Our highways have been improved so that we can cover vastly greater distances in a shorter time than we did before. We now have the use of the radio, which enables us to get in touch with a great many people in a very short time.

Now what I am leading up to is this: that it is a simple matter to get ten thousand names today compared with what it was when that law was adopted.

We were elected by our constituents to come up here to represent them; every last man here is chosen because the people of his community think he is a man of sound judgment and common sense. We come up here, we take these matters up in committee, we hear the public discussion upon them, we bring them onto the floor of the House, as we are doing this morning, and we discuss those measures pro and con, and when we get through, we ourselves are in a vastly better position to pass on the merits of any measure than our people back home possibly can be.

But, by the aid of this referendum, some prejudiced bunch of men, it may be a corporation, it may be some organization, or some few men who do not like the matter, they get around, get ten thousand names to have the matter referred to the people, and then they conduct a one-sided campaign to carry out their purpose, whatever it is, and that purpose is oftentimes to defeat the very thing that we have worked so hard to gain.

To give you an illustration of what I mean, I am going to say to this body here and now, that any tax measure that is presented to this Legislature in my opinion is doomed to defeat unless we here can pull together enough to pass the measure with a two-thirds emergency vote; because just as sure as a tax measure gets back to the people they will kill it. They do not give it consideration. It hits their pocketbook, and they forget they elected us to enact these laws.

Now my point is: We still want the referendum, but we do not want that referendum to continue when a small group of people can upset everything that we do at this Legislature in a whole winter. I have helped to kill more constitutional amendments, I believe, than any other man in this Legislature; I do not believe in changing the Constitution of Maine every time somebody has a bright idea; but this measure, Mr. Bishop's measure, to amend the Constitution to get a larger number of names on these petitions before they can upset everything we do, I do favor, and I present it as a fact to you: it is up to you to vote as you please, but I for one am against the motion of the gentleman from Boothbay Harbor, Mr. Perkins, and I shall vote "No."

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, when the vote is taken, I ask for a division.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, requests a division.

The question before the House is on the motion of the gentleman from Boothbay Harbor, Mr. Perkins, that the House accept the minority "Ought not to pass" report of the committee. All those in favor of the motion will please rise and remain standing until the monitors have made and returned the count.

A division was had.

Forty-six having voted in the affirmative and sixty-nine in the negative, the motion did not prevail.

On motion by Mr. McGlaflin, the House voted to accept the majority report "Ought to pass" as amended by Committee Amendment "A".

The resolve was then given its first reading.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 107, L. D. 238, "Resolve Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendum."

Amend said resolve in the 1st line of that part designated as "Sec. 17" thereof, by drawing a line through "not less than 10,000".

Further amend said resolve in the 2nd line of that part designated as "Sec. 17" thereof, by striking out the underlined words "in each congressional district"

Further amend said resolve in the 2nd line of that part designated as "Sec. 17" thereof, by adding after the comma the following underlined words: "the number of which shall not be less than 10% of the total vote for governor cast in the last gubernatorial election preceding the filing of such petition, and"

Committee Amendment "A" was adopted, and the resolve was assigned for second reading tomorrow morning.

The SPEAKER: The House is proceeding under Orders of the Day.

If there is no further business, the Clerk will read the notices.

On motion by Mr. Cole of Portland,

Adjourned until ten o'clock tomorrow morning.