

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

An Act relating to active retired justices of the Supreme Judicial Court. (H. D. 135).

An Act to amend the charter of the Maine Real Estate Title Company. (H. D. 201).

An Act to extend the charter of the Penobscot Lumbering Association for Fifteen Years. (H. D. 202).

An Act to extend the charter of the Penobscot Boom Corporation for fifteen years. (H. D. 204).

An Act relating to the establishment of town forests. (H. D. 275).

Resolve, in favor of Richard Jacobson, of East Waterford, compensating him for damage done his orchard by deer. (H. D. 343).

An Act to legalize the acts, doings and proceedings of the town of Otisfield and the assessment of taxes thereof, for the years nineteen hundred twenty-four, twenty-five and twenty-six. (H. D. 370).

An Act relating to the use as part of name the words banks, savings, trust and kindred words. (H. D. 371).

An Act relating to pensioning members of the Police Department of the City of Brewer. (H. D. 372).

An Act relating to teacher's pension for Fannis S. Marble. (H. D. 393).

An Act relating to the Harrison Fire Insurance Company. (H. D. 395).

An Act relating to a superintending school committee for Turner. (H. D. 396).

An Act relating to the Penobscot Tribe of Indians. (H. D. 397).

Resolve, for the laying of the county taxes for the year Nineteen hundred and Twenty-seven. (H. D. 399).

Resolve, for the laying of the county taxes for the year Nineteen hundred and Twenty-eight. (H. D. 398).

An Act to confer the power to issue subpoenas to the city council and civil service commission of the city of Portland. (H. D. 400).

Passed to be Enacted

An Act relating to the Excise Tax on Railroads. (H. D. 23)

Mr. SPIERS of Cumberland: Mr. President, I move that this matter lie upon the table and be specially assigned for next Tuesday afternoon.

Mr. ROBERTS of York: Mr. President, this bill has been tabled and retabled and it seems to me as though it has been delayed long enough and I wish to doubt the motion and ask for a division.

Mr. HARRIMAN of Kennebec: Mr. President—

The PRESIDENT: The Senator from York, Senator Roberts asks for a division of the Senate. Does the Senator from Kennebec, Senator Harriman wish to debate the assignment?

Mr. HARRIMAN: I do, Mr. President.

The PRESIDENT: The Senator is in order.

Mr. HARRIMAN: Mr. President, if Senator Spiers had not moved to table this measure I was going to do the same thing and for this reason, that it seems to me that this bill should be held with the rest of the appropriation bills. The appropriation committee is tabling a large number of appropriation bills wishing to get them together and decide upon them at the same time and if you can tell anything by the figures from the budget report and also from the report of the estimated income, etc., for the railroad for the next two years, there seems to be a discrepancy of about \$455,000 that has got to be made up from some source. Now, if these bills can all go in together and we can get a general reduction in taxation—

The PRESIDENT: The Chair wants to be very lenient with every Senator and to allow all the latitude possible and will do so, and the Chair recognized the Senator from Kennebec, Senator Harriman, and suggested to him that he debate the date of assignment which is only debatable when a motion to table is pending, and the Chair is of the opinion that the Senator from Kennebec, Senator Harriman, is drifting slightly from the assignment debate. The Chair has no desire to be arbitrary in the matter and wants to allow every senator all the latitude possible but must insist, on matters being tabled, that the senators confine themselves to the assignment of the matter to be tabled.

Mr. HARRIMAN: Mr. President, possibly I was wrong, then. It was the matter of tabling that I was arguing.

The PRESIDENT: The matter of tabling is not debatable.

Mr. HARRIMAN: If I am wrong, Mr. President, I will stand corrected.

Mr. SPEIRS: Mr. President, matters came up so late yesterday afternoon that it was impossible to state them this morning and I wish to as-

sign this matter to Tuesday next in order that I may be able to state those facts to the Senate.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Speirs, that this bill be tabled and argued for next Tuesday. The Senator from York, Senator Roberts, has asked for a division.

A division of the Senate was had. Eighteen having voted in the negative and 7 in the affirmative the motion to table failed of passage.

The PRESIDENT: The question is now on the passage of the bill to be enacted. Is it the pleasure of the Senate that the bill now be passed to be enacted?

Thereupon the bill was passed to be enacted.

Mr. ROBERTS: Mr. President, I voted against the bill being tabled. Is it in order for me now to move to reconsider the vote whereby this bill was passed to be enacted?

The PRESIDENT: There being no record vote on the passage of the bill the Chair rules that any senator may move for reconsideration, the point being a matter of personal conscience with the senator so moving as to whether he voted against the bill or not. The motion is in order.

Mr. ROBERTS: Mr. President, I move that we reconsider the vote whereby we passed this bill to be enacted and I hope my motion will not prevail.

Mr. SPEIRS: Mr. President, I think it is a most unusual thing not to allow the privilege of laying on the table a measure, and I second the motion to reconsider.

The PRESIDENT: The question is on the motion of the Senator from York, Senator Roberts, that the vote be reconsidered.

A viva voce vote being taken the motion to reconsider failed of passage.

Finally Passed

Resolve, in favor of Mrs. Eddie Fitzgerald, Seven Islands, Maine. (H. D. 261).

Orders of the Day

The President laid before the Senate, Resolve to appropriate money for the erection of a new State library, (H. D. 21) tabled on March 17th by Mr. Holmes of Androscoggin,

pending consideration and today assigned.

Mr. HOLMES of Androscoggin: Mr. President, I will ask the Chair to inform me of the exact parliamentary situation including what the record shows as to action of the House, whether or not the House voted to accept the report of the Committee on Library and then indefinitely postponed the bill or whether they voted to indefinitely postpone the bill before accepting the committee report.

The PRESIDENT: The Secretary may very properly read the record.

(The record was read by the Secretary.)

Mr. HOLMES: Then Mr. President, I move that the Senate accept the report of the Committee on Library, "ought to pass" and that the resolve be given its first reading and I wish to address myself to the motion.

The PRESIDENT: The Senator is in order.

Mr. HOLMES: This resolve asks for \$500,000, call it a half million if that sounds easier, to erect a new and suitable State Library. We have no State library now. It was referred to the Committee on Library and by them considered carefully and conscientiously. We had before us not only the State Librarian, Dr. Dunnack who knows the condition, but we also had before us certain other citizens who were able to give the Committee valuable information and worth-while advice, and after careful consideration we voted unanimously to report this resolve back in the Legislature "ought to pass." We knew that if it was accepted and the resolve passed along through the legislative course in both branches it would still have to run the gauntlet of the Appropriation Committee because all that we could do would be to recommend it and ask the House and Senate to pass it. The question of whether or not the Legislature would consider that the State could afford it at the present time would be decided I presume on the advice of the Appropriation Committee.

The House in its wisdom has seen fit to throw this resolve out of the window I am going to ask the Senate to treat it more respectfully and I want to take a few minutes of your time to give you some reasons why the need is pressing, and I want