

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

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situation with regard to State employees. I think, if there is any State employee whose services are not needed in our State, that we have ample machinery available to do away with that particular employee. If that job is filled by the Governor and Council, I believe those gentlemen can also entertain any suggestion as to the unnecessary keeping of that officer or individual. There is a whole lot that could be said. If any of us could go about these departments and inquire about the things that the heads of these departments and other employees necessarily must learn to do, and the knowledge and information they must have, you will find that they are valuable employees, and it is idle talk for a man to say that he can replace a ten dollar man with a two dollar man and get a ten dollar job done.

I simply want to leave it with you, ladies and gentlemen, that an arbitrary slash of the salaries of these people would be an unjustifiable act, and I respectfully say that I hope the motion of the gentleman from Charleston (Mr. Howes) will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Charleston, Mr. Howes, that the House reconsider its action of April 4th whereby it accepted the majority report "Ought not to pass" on Bill "An Act Reducing the Compensation of State Officials and Employees."

Mr. DOW of Norway: Mr. Speaker and members of the House: I did not intend to take any part in this discussion. I hope you will pardon me if I use an expression which some of the members of this House have used frequently, and that is making fish of one thing and fowl of another, but I could not help but notice as I sat here that some who voted in favor of raising salaries of county officials the other day want to make fowl of the other as far as State officials are concerned.

The SPEAKER: Is the House ready for the question?

All those in favor of the motion to reconsider the action of the House in accepting the majority, "Ought not to pass" report will say aye, those opposed no.

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

The Chair lays before the House the tenth item of unfinished business, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the committee on Legal Affairs on Bill "An Act Relating to Elections in the City of Biddeford" (H. P. 1162) (L. D. 481), tabled on April 6th by Mr. Donahue of Biddeford, pending the motion of Mr. Ford of Saco that the Majority Report be accepted, and the Chair recognizes the gentleman from Biddeford, Mr. Donahue.

Mr. DONAHUE: Mr. Speaker and members of the Eighty-ninth Legislature: Were it not for the fact that a vast majority of the citizens of the city of Biddeford are opposed to this legislation, I might hesitate somewhat in opposing the eight to two report of the committee on Legal Affairs that this bill should pass. However, the member of the committee who signed the report with me is the only member of the committee who was a member of that committee during the regular session and the special session in 1933 when the people of the city of Biddeford came to this Legislature and requested the passage of the legislation which this bill seeks to repeal. And why was it done? You have on your desks a mimeographed copy of the returns of the election held in the city of Biddeford March 13, 1933, where two groups, independent groups, under the style of progressives and non-partisan, polled less than forty per cent of the vote in the city of Biddeford and were elected to office. And what happened as a result of that administration? The result of that administration was that the city of Biddeford was practically forced into bankruptcy, school teachers remained unpaid for over nine months, bonds were defaulted, tax notes unpaid, and, as a result of the abuse of the privilege of independent party designation, the Legislature in 1933 enacted our present primary law. The present primary law gives all parties equal privileges; it gives independent groups no privilege that the primary party does not have.

When the State auditors finished eight months' work in the city, after this group had gone out of office, it was found that there was something over \$340,000 of unpaid bills, bills for which the taxpayers of the city of Biddeford had paid their money into the city treasury and which, under the subsequent ad-

ministration, they were compelled to pay again. At the end of the administration there was no city report; no one knew what the financial condition of the city was. As I said before, it was only as a result of eight months' work by the auditors of the State Auditing Department that the administration was able to determine where the city stood. I say to you that while we will hear the argument that nowhere else in the State of Maine are citizens deprived of the right of independent nominations, I believe the Legislature of 1933, in view of the flagrant abuses of that privilege, were justified in passing the law which they did.

At the present time the citizens of the city of Biddeford enjoy not only a yearly report, but they enjoy a monthly report of the doings of each and every department. No school teacher is obliged to wait nine months, no school teacher waits beyond the day when her pay is due; all bonds are paid, and no tax notes are unpaid. That is the reason that the citizens of Biddeford do not want to go back and permit independent groups to again force the city of Biddeford into bankruptcy. I, therefore, move the indefinite postponement of this bill with the two accompanying reports.

Mr. FORD of Saco: Mr. Speaker, I will not attempt to reply to the flowery remarks of the gentleman from Biddeford, Mr. Donahue, from my sister city. He would lead you to think that I had committed an error in presenting this bill. I am like the gentleman from Belfast, Mr. Buzzell; I only presented this bill by request. I presented it at the request of the Republican Club in that city of Biddeford which numbers—I do not know exactly—but I think around four or five hundred. I think if this favorable report is enacted, that the terms of this bill will not create any damage to any one. I think this bill has a whole lot of merit and I, for one, want to thank the committee for its favorable report, and I hope that the majority report will be accepted.

Mr. DOW of Norway: Mr. Speaker and members of the House: I want to say that the committee on Legal Affairs in considering this bill considered it in the Senate Chamber where full opportunity for discussion was given to both sides and the arguments were well aired.

Apparently in 1933 Chapter 71 of the Private and Special Laws set up a system of elections in the city of Biddeford. It seems that subsequent to that time some changes became necessary and so at a special session in 1933 Chapter 118, Section 1, among other things, was changed considerably.

I would call your attention to the fact that while apparently changes were made so that delegates might be sent to State conventions, this section which we are talking about was changed also. Chapter 118 of 1933—Special Laws—not only was sent back to the people of Biddeford with a referendum but there was an emergency clause. I think I speak for the majority of the committee which was eight to two who signed this report when I state that none of the arguments before the committee convinced us that Biddeford should be given different election laws than the rest of the State, and I do not think that the opponents of the bill would tell you that they should be given any different laws. I hope that the majority report "Ought to pass" will be accepted.

Mr. WEED of Manchester: Mr. Speaker, having lived in Biddeford for a number of years and having noticed conditions there, and having discussed the situation with a number of people, I think that the condition that exists there at the present time is what the majority of the people desire.

Mr. VARNEY of Berwick: Mr. Speaker, I want to take just a few moments to answer to some extent the argument as presented by my good friend, and he is my good friend, the gentleman from Biddeford, Mr. Donahue. He is my good friend in every respect except politics but I haven't gotten him yet to see the light in politics.

This bill has some political significance, but it has only political significance because it so happens that the city of Biddeford is usually predominantly Democratic. I want to try to tell you what this bill really does. The law in the city of Biddeford now is so worded, as I understand it, that no one can run for mayor and some other offices—I know this applies to mayor—unless he be a registered Republican or a registered Democrat. Biddeford being so predominantly Democratic that permits the Democratic machine to run things with a rather high hand. You cannot get on the

ticket unless you play along with the Democratic machine. Unless we Republicans or unless the people of the city of Biddeford can sometimes, when the Democratic machine gets to running things with two high a hand, unless they can get a man who is perhaps a registered Democrat to run for mayor in the city of Biddeford under the banner of a Progressive Republican or what have you, then it means that the old machine can keep things under their thumb and run not only politics but other things in the city of Biddeford. I want to say to my friend, the gentleman from Biddeford, Mr. Donahue, that if he will point out to me any town or city in the State of Maine where they have a similar law which is predominantly Republican, so that we can run things with the same high hand, I will be one to vote for that law in that town or city wherever it is.

Now how did Biddeford get that law? I want to call this to your attention because you may hear the argument presented here that we ought to let Biddeford decide for themselves what they want. If you put a referendum on it you might as well kill the bill. Now the gentleman from Biddeford, Mr. Donahue, referred to the Special Session of 1933. In that Special Session they brought in a bill on which they put an emergency preamble.

I think that bill—I am not sure—I think it was presented by the gentleman from Biddeford, Mr. Donahue, and the emergency preamble recites that “whereas, the amendment to the election laws of the city of Biddeford passed by the Eighty-sixth Legislature did not adequately prepare for the election of delegates to party conventions, and it is now impossible to elect delegates properly; and whereas, the city of Biddeford would not be represented in respective party conventions if the following amendment is not made.” I concede that so far I think that is true. It was necessary to make an amendment to the laws in order that Biddeford might be properly represented at party conventions. With that part of the amendment made in 1933 under the heading of the emergency, I would not quarrel. As I understand it they also in that same act wrote in a little amendment to the law which formerly read as follows: “Candidates for the following offices shall present a petition of at least

the following number of names: for mayor, member of the school board, or police commissioner, 125; for councilman, 50; for warden or clerk, 25.” This is what they inserted, after the word “names”: “of enrolled members of the political party requesting such nomination.” As I understand it it was that little insertion which they put in this emergency act under the supposed banner of providing that the city of Biddeford may be properly represented in the State political conventions—they brought in this article which stopped anyone from running for the offices in Biddeford unless they be members of the enrolled party.

Now the bill you have before you would simply permit in the city of Biddeford something which I understand is permitted in every city in the State, that if you do not want to run as a Republican or a Democrat, you have a right to run as an Independent by getting a certain number of signatures, and I do not think that even my brother can quarrel on that. I simply hope that the majority report of the committee is accepted.

Mr. BELANGER of Biddeford: Mr. Speaker, there have been some remarks made here about people born outside of the State. I was born in the State of Maine. I have lived in Biddeford for 66 years. I was elected as a Representative by the biggest majority that any man ever got out of Biddeford. I am here to tell you that what Biddeford wants is what they have. They don't want this bill. We pay our bills, we pay our county taxes and everything in the city of Biddeford. We enroll as either a Democrat or a Republican. I voted the Republican ticket a good many years and when I changed my mind I enrolled as a Democrat. We do not want anybody digging in on either party and breaking it up. If the people of Biddeford sent me here to represent them, they do not want somebody else telling them what to do. It is none of my job to tell you how to run North Berwick or Waterville, it is none of my job to tell you how to run Augusta or any other town. Our Representatives from Biddeford want to represent Biddeford and three to one we have no use for this bill.

Mr. DONAHUE: Mr. Speaker, I believe that the gentleman from Berwick, Mr. Varney, is slightly in

error when he says that I presented this bill. I first became a member of the Legislature in 1935. In town meeting, as I understand it, you have no independent candidate. In the town of Sanford you have delegates at town meeting and it does not provide for independent nominations. Many of our other municipalities in the State have non-partisan ballots. If this legislation is so desirable I want to ask this House why the agent of the Pepperell Mills, the treasurer of the Saco-Lowell Shops, the First Vice President of the First National Bank of Biddeford, and the chairman of the Board of Directors of the Pepperell Trust Company and 3,500 other citizens of Biddeford do not want this bill to pass?

Mr. McGLAUF LIN of Portland: Mr. Speaker, I want to say just a word. This measure is an attempt on the part of a Republican House to force on the Democrats something that they do not want. If the Democrats undertook to do the same thing with us, and they had the power to do it, we would say that it was a dirty deal. I hope that this measure is killed.

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the two reports of the committee on Legal Affairs on Bill "An Act Relating to Elections in the City of Biddeford" be indefinitely postponed. All those in favor of the motion for indefinite postponement will say aye, those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Thirty-seven having voted in the affirmative and 41 in the negative, the motion did not prevail.

The SPEAKER: The question now before the House is on the motion of the gentleman from Saco, Mr. Ford, that the majority report "Ought to pass" of the committee be accepted. Is this the pleasure of the House. The motion prevailed, and the majority report "Ought to pass" was accepted.

The Chair lays before the House the eleventh item of unfinished business, Bill "An Act Relating to Requisites for Old Age Assistance" (H. P. 286) (L. D. 91). The pending question at the time of adjournment of the House on April 7th being the adoption of House Amendment "B." The Chair rec-

ognizes the gentleman from Lewiston, Mr. Lambert.

Mr. LAMBERT: Mr. Speaker and members of the House: Due to the fact that I have interviewed a great many of the Representatives of the House concerning House Amendment "B" to this bill, I want to make a motion to indefinitely postpone House Amendment "B," with the idea of presenting to you at this time House Amendment "C," which is on your desks.

The SPEAKER: The gentleman from Lewiston, Mr. Lambert, now moves the indefinite postponement of House Amendment "B." Is this the pleasure of the House?

The motion prevailed and House Amendment "B" was indefinitely postponed.

Mr. Lambert then offered House Amendment "C" and moved its adoption.

House Amendment "C" to H. P. 286, L. D. 91, Bill, "An Act Relating to Requisites for Old Age Assistance."

Amend said Bill by adding at the end thereof the following: **provided, however, that this sub-paragraph shall not apply to aliens who have resided in the United States since July 1, 1919.**

Mr. LAMBERT: Mr. Speaker and members of the House: Again I am going to appeal to you in regard to this alien bill which was debated by the House last week. It was brought out during the debate that by barring all of the aliens from the pension rolls you were probably barring the old parents of some veterans of the World War who fought for this country, also some old residents of the State of Maine who contributed greatly to the building up of this State by paying their taxes regularly and by working for improvements in the State. Some of the aliens who resided here previous to 1919 might have had some sons who went to the World War. I want this House to remember that back in those days, when those boys were fighting for their country, it did not matter whether their parents were aliens or whether their parents were citizens. They were fighting for one cause, and that cause was for the benefit of our country. Some of them even gave their lives, and today we are here to deny pensions to some of those unfortunate people who would just fall back on our municipalities.