

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

### Reports of Committees House Committee Report

Mr. McGlauffin from the House Committee on Leave of Absence, on being informed of the absence of Mr. Luro of Orono, on account of a recent automobile accident, reports that he be excused from attending the sessions of the House until he has recovered.

#### Ought to Pass in New Draft

Mr. Pike from the Committee on Sea and Shore Fisheries on Bill "An Act relating to a Bounty on Seals" (H. P. 1205) (L. D. 459) reported same in a new draft (H. P. 2219) under same title and that it "Ought to pass."

Report was read and accepted and the new draft ordered printed under the Joint Rules.

#### First Reading of Printed Bills

Bill "An Act relating to Elections in the city of Biddeford" (H. P. 1162) (L. D. 481)

Bill had its two several readings. Mr. Donahue of Biddeford, offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1162, L. D. 481, Bill "An Act relating to elections in the City of Biddeford."

Amend said Bill by adding at the end thereof the following section:

**Sec. 3 Referendum.** This act shall be submitted for approval or rejection to the qualified voters of the City of Biddeford at a special election held for the purpose, or at any regular election, held before January 1, 1941, and warrants shall be issued for such election in the manner now provided for holding municipal elections, notifying and warning the qualified voters of said city to meet in the several ward rooms of said city, there to cast their ballots concerning the acceptance of this act. The vote shall be taken by ballot at said election in answer to the question: "Shall an act passed by the Legislature in the year 1939, entitled, 'An Act Relating to Elections in the City of Biddeford', be accepted?" which question shall be printed on the official ballots and at said election the voters of the City in favor of accepting the act shall vote "Yes" and those opposed shall vote "No." Otherwise said ballots shall be in the form provided by law when a constitutional amendment is submitted to the vote of the people. The provisions of law relating to the pre-

paration of voting lists for municipal elections shall apply to such election, and said election shall in all other respects be conducted according to law, and the results thereof shall be determined in the manner now provided by law for the determination of the election of the mayor. If a majority of the valid votes cast as aforesaid shall be in favor of accepting the same, then this act shall forthwith take effect as herein provided. So much of this act as authorizes the submission of this act to the voters of Biddeford shall take effect as provided in the constitution, but it shall not take further effect unless adopted by said voters as hereinbefore provided.

Mr. DONAHUE: Mr. Speaker, and members of the Eighty-ninth Legislature: Yesterday, I told this House that the citizens of the city of Biddeford, including practically every business man and every manufacturer in the city, did not want this bill. This bill was the only bill that came out of the Legal Affairs Committee involving any change relative to election laws or city charters or otherwise, in any municipality in the State of Maine, which did not carry with it a referendum clause submitting to the people in the town or city affected the right to say whether they want it or not.

I believe the citizens of Biddeford, the people who pay the State tax, the people who pay the county tax and who pay their municipal taxes, who support the schools there and the other functions of local government, should be given the right, the same as any other municipality, to say whether or not they wish this change.

Mr. DOW of Norway: Mr. Speaker, just a brief word. The gentleman from Biddeford, Mr. Donahue, I think is correct when he makes the statement that this is the only bill that comes out of the Legal Affairs Committee regarding elections without a referendum. I think that is correct.

Just to refresh the memory of the members of the House, I will say that the law passed at the special session of 1933, Chapter 118, if I remember correctly, not only did not contain a referendum to the people of Biddeford, but was passed as an emergency measure. Apparently they were not as solicitous of the welfare of the citizens of Biddeford in 1933 as they are in 1939.

Mr. VARNEY of Berwick: Mr. Speaker, I move that this amendment be indefinitely postponed, and I do not propose to burden the House further with any more argument for or against this bill. I simply want to say that this amendment will, in effect, kill the bill because of the fact that the city of Biddeford is so predominantly Democratic. I think almost every one in this Legislature will recognize that to be so. If you do not think it is so, look at the results of the last election and you will see that the Democratic machine not only have control of things in Biddeford, but that they propose to continue to control them. For that reason, I renew my motion that this amendment be indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Berwick, Mr. Varney, that House Amendment "A" be indefinitely postponed.

Mr. VARNEY: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Berwick, Mr. Varney, asks for a division. Is the House ready for the question? All those in favor of the motion of the gentleman from Berwick, Mr. Varney, that House Amendment "A" be indefinitely postponed will rise and stand in their places until counted, and the Monitors will make and return the count.

A division of the House was had.

Eighty-six having voted in the affirmative and 26 in the negative, the motion prevailed, and House Amendment "A" was indefinitely postponed and tomorrow assigned for third reading of the bill.

#### First Reading of Printed Bills (Continued)

Bill "An Act to Amend the law relative to Commitment of the Insane" (H. P. 1325) (L. D. 546)

Bill was read twice and tomorrow assigned.

#### Passed to be Engrossed

Bill "An Act relating to Financial Responsibility" (H. P. 1424) (L. D. 608)

Bill "An Act relating to Jury Commissioners" (H. P. 2201) (L. D. 1146)

Bill "An Act relating to the Department of Sea and Shore Fisheries" (H. P. 2202) (L. D. 1147)

Bill "An Act relating to Protection of Trees, Shrubs and Nursery Stock" (H. P. 2205) (L. D. 1154)

Bill "An Act relating to Child Welfare" (H. P. 2206) (L. D. 1151)

Bill "An Act relating to Arrests" (H. P. 2207) (L. D. 1150)

Bill "An Act relating to Complaint in Cases of Neglect to Children" (H. P. 2208) (L. D. 1149)

Bill "An Act relating to Civil Actions for Death" (H. P. 2214) (L. D. 1152)

Bill "An Act relating to State Police" (H. P. 2215) (L. D. 1153)

Resolve relating to the Construction of a Dormitory at the Prison Farm (S. P. 552) (L. D. 1078)

Resolve relative to the Trapping of Muskrats (S. P. 630) (L. D. 1144)

Sent up for concurrence.

#### Amended Bills

Bill "An Act Defining and Prohibiting Unfair Sales Practices" (S. P. 324) (L. D. 577)

Was reported by the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed as amended in concurrence.

Bill "An Act relating to the County Commissioners of Androscoggin County" (H. P. 2061) (L. D. 1097)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent up for concurrence.

Bill "An Act relative to Court Proceedings in relation to the Enforcement of the Inland Fish and Game Laws" (S. P. 215) (L. D. 287)

Was reported by the Committee on Bills in the Third reading, read the third time, passed to be engrossed as amended in non-concurrence and sent up for concurrence.

#### Passed to be Enacted

An Act relating to Dealers in Motor Vehicles (S. P. 385) (L. D. 786)

An Act relating to Apportionment of Motor Vehicle Registration Fees Paid by Inhabitants of Swan's Island, Isle au Haut and Cranberry Isles (H. P. 1220) (L. D. 462)

An Act relating to Removal of Infected Persons and Goods and Securing Infected Articles (H. P. 1601) (L. D. 912)

An Act relating to Real Estate Brokers (H. P. 1616) (L. D. 865)