

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, February 22, 1929.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mrs. Knowlton of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act to increase the salary of the County Treasurer of Franklin county, H. P. 1057, H. D. 329, which was passed to be engrossed in the House, February 15th.

Comes from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House:

(Senate Amendment A read by the Clerk.)

The House voted to reconsider its action whereby this bill was passed to be engrossed and further voted to adopt Senate Amendment A in concurrence, and the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

Senate Bills in First Reading

S. P. 147, S. D. 182: An act relating to the Portland Terminal Company.

S. P. 148, S. D. 183: An act to dissolve the Somerset Railway Company and the Washington County Railway Company.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, February 26, at 4 o'clock in the afternoon.

In the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: The following Order:

Whereas the State of Maine for a period of approximately twenty years has pursued the policy of retaining within its territorial limits the hydro-electric energy produced by water powers within its borders, and

Whereas this policy has been challenged on economic grounds by parties interested in the ownership of water powers and water power sites within the State, and

Whereas a proper settlement of the problem of a desirable water power policy should be predicated solely upon the question of what policy is for the best interests of a majority of our own people

Ordered, the House concurring, that the committee to which has been referred Senate Document No 44 and other bills and orders dealing with the subject matter of the export of hydro-electric energy is hereby requested and directed to conduct such an investigation into the economic phases of the problem of power export as in the opinion of said committee and its members may be necessary to advise this Legislature, at the time of making its report on said bills or orders or any one of them upon the following matters:

(1) The price of industrial power as sold by public utility corporations in Maine, in New Hampshire and in Massachusetts.

(2) The trend of such prices in said states during a period of not less than the last three years.

(3) The probable cost of construction of a power transmission line from the probable terminus in Maine to the probable terminus in Massachusetts with a designation of those probable termini.

(4) The probable cost of operation of such a line including capital charges and transmission losses.

(5) The relative cost of power developed in Maine delivered to points in Maine, in New Hampshire and in Massachusetts.

(6) The probable effect of the construction and operation of such a line upon the price of industrial power in Maine, in New Hampshire and in Massachusetts.

(7) The present ratio of steam installation to hydro installation of the major utilities in Maine, in New Hampshire and in Massachusetts.

(8) The desirable ratio of such installations, having regard to the nature of the loads of the several utilities.

(9) The present freight costs for goods being manufactured in substantial quantities in Maine, in

New Hampshire and in Massachusetts with a comparison of the same between state and state.

(10) The trend of freight costs during a period of not less than the last three years with information if any is available of prospective changes.

(11) The proportion of power cost and freight costs in the present major industries in said states, exclusive of such of those industries as depend upon raw materials available in large quantities in the state of manufacture.

(12) The relative worth to the owners of powers and power sites in Maine of such powers or sites used, first, in manufacture and second, for the production of hydro-electric energy for sale.

(13) The minimum amount of power export necessary to make the construction and operation of a transmission line to Massachusetts commercially feasible.

(14) The class or kind of power, as now in use in New Hampshire and in Massachusetts, which power exported from Maine will probably replace and, if more than one class or kind, the proportion or amount of the several classes, that is, prime, secondary and relay.

(15) The desirability, from a capital standpoint, having regard to power cost, to freight cost, and to other items, of the location of industry in Maine under present conditions and after the construction of a line capable of transmitting electric energy in large amounts to New Hampshire and to Massachusetts.

Comes from the Senate read and passed as amended by Senate Amendment "A" as follows:

Amend Senate Document No. 155 by striking out paragraphs numbered three and four on the second page, paragraphs numbered twelve and thirteen on the third page, and paragraph numbered fourteen on the third and fourth pages of the printed document; by striking out the words "hydro installation" in the paragraph numbered seven on said third page and inserting in place thereof the words "average daily demand"; by striking out the word "costs" in the paragraphs numbered nine and ten on said third page and inserting in place thereof the word "rates"; by striking out the words "said states" in

the second line and "of manufacture" in the fourth line of the paragraph numbered eleven on said page and inserting in place of the words "said states" the word 'Maine'; and by renumbering paragraphs five, six, seven, eight, nine, ten, eleven and fifteen respectively, three, four, five, seven, eight, nine, and ten.

In the House, Senate Amendment A read and adopted in concurrence, and the order, as amended, received passage in concurrence.

The following bills, resolve, petitions and remonstrances were received, and, upon recommendation of the committee on reference of bills, were referred to the following committees:

Agriculture and Inland Fisheries and Game

By Mrs. Day of Gorham: Petition in favor of a Bounty on Bears (H. P. 1382)

Education

By Mr. Small of Freedom: An act relating to equal school privileges for all pupils (H. P. 1383)

(500 copies ordered printed)

By Mr. Carleton of Portland: An act in relation to the Maine School for the Deaf (H. P. 1384)

(500 copies ordered printed)

Inland Fisheries and Game

By Mr. Foster of Ellsworth: Remonstrance of Edwin F. Megill of Belgrade Lakes and 65 others opposing the opening of The Belgrade Chain of Lakes to ice fishing (H. P. 1385)

By the same gentleman: Remonstrance of James Forbes and 53 others of Rome against same (H. P. 1386)

By the same gentleman: Remonstrance of C. R. Thwing of Belgrade Lakes and 79 others against same (H. P. 1387)

By the same gentleman: Remonstrance of H. W. Greeley and 15 others of Oakland, against the same (H. P. 1394)

By Mr. Rogers of Greenville: An act permitting Sunday hunting in unorganized townships and territories (H. P. 1388)

(500 copies ordered printed)

By the same gentleman: Petition of P. W. Redmond and 624 others in favor of same (H. P. 1389)

Public Utilities, Judiciary and Interior Waters

By Mr. Sturgis of Auburn: An act to provide for the use of surplus power (H. P. 1390)

(500 copies ordered printed)

State Lands and Forest Preservation

By Mr. Rodolphe Hamel of Lewiston: Resolve for the maintenance of the State Park at Mere Point (H. P. 1391)

Ways and Bridges

By Mr. O'Connell of Millinocket: Petition of Rev. J. F. Holohan of Millinocket and others in favor of Jackman-Greenville Highway (H. P. 1392)

By Mr. McLean of Bar Harbor: Petition of W. G. Hill of Bar Harbor and others in favor of same (H. P. 1393)

On motion by Mrs. Gay of Waldoboro, the rules were suspended and the members granted permission to smoke.

Orders

On motion by Mr. Chase of Cape Elizabeth, it was

Ordered, that the use of the hall of the House be granted to the committees on Public Utilities, Judiciary and Interior Waters jointly Wednesday evening, February 27th and Thursday afternoon, March 7th.

Reports of Committees

Mr. Kane from the Committee on Sea and Shore Fisheries reported ought not to pass on bill an act relating to closing Sunday to lobster fishing (H. P. 433) (H. D. 141) together with accompanying petitions and remonstrances.

Mr. Milliken from the Committee on State Lands and Forest Preservation on resolve in favor of Parantunk Plantation (H. P. 623) reported ought not to pass. Legislation inexpedient.

Reports read and accepted and sent up for concurrence.

Mr. Stone from the Committee on Claims on resolve in favor of C. J. Thomas, compensating him for the loss of a cow (H. P. 50) (H. D. 22) reported same in a new draft (H. P. 1378) under same title and that it ought to pass.

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

Mr. Comins from the Committee

on Public Utilities on bill an act to incorporate the Guilford and Sangerville Water District (H. P. 879) (H. D. 216) reported same in a new draft (H. P. 1381) under same title and that it ought to pass.

Report read and accepted, and on motion by Mr. Heath of Guilford 1000 copies of the new draft ordered printed.

Mr. St. Clair from the Committee on Sea and Shore Fisheries on bill an act relating to the Lobster industry within two miles of the shore of Monhegan Island (H. P. 337) (H. D. 100) reported same in a new draft (H. P. 1379) under same title and that it ought to pass.

Mr. Hammond from the Committee on State Lands and Forest Preservation on Resolve authorizing the Forest Commissioner to release the State's interest in Lots numbered 3, 4 and 6 in Township 15, Range 6, W. E. L. S. Aroostook County, Maine, to Clara E. Hodgkins of Farmington, Maine (H. P. 250) reported same in a new draft (H. P. 1380) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Tucker from the Committee on Public Utilities reported ought to pass on bill an act to empower the Westfield Electric Co. to sell its property to Gould Electric Co. and for other purposes (H. P. 727)

Mr. Melcher from the Committee on Salaries and Fees reported same on bill an act relating to Deputy Clerk of Courts of Kennebec County. (H. P. 739)

Same gentleman from same Committee reported same on bill an act relating to the salary of the Treasurer of Kennebec County. (H. P. 738)

Same gentleman from same Committee reported same on bill an act to increase amount paid for clerk hire in office of Clerk of Courts for Cumberland County. (H. P. 180)

Same gentleman from same Committee reported same on bill an act relative to the salary of the Judge of the Ellsworth Municipal Court. (H. P. 335)

Mr. Butler from the Committee on Sea and Shore Fisheries reported same on bill an act to regulate the taking of clams in the town of Phippsburg. (H. P. 680)

Mr. Rumill from same Committee reported same on bill an act regu-

lating the taking of shad in the Nonesuch River in Scarborough. (H. P. 338)

Mr. Mansfield from same Committee reported same on bill an act relating to the digging of clams in Biddeford, in the county of York. (H. P. 894)

Mr. Rogers from the Committee on State Lands and Forest Preservation reported same on resolve authorizing the Forest Commissioner as Land Agent to convey a certain lot of land to Asahel Darling. (H. P. 450)

Reports read and accepted and the bills and resolve ordered printed under the Joint Rules.

Mrs. Folsom from the Committee on Education reported same on bill an act to provide for the support of the University of Maine. (H. P. 290) (H. D. 87)

(Tabled by Mrs. Folsom of Norridgewock pending acceptance of the report to be taken up later under Orders of the Day.)

Mr. Tucker from the Committee on Public Utilities reported same on bill an act to create the Gray Water District. (H. P. 883) (H. D. 302)

Mr. Mansfield from the Committee on Sea and Shore Fisheries reported same on bill an act regulating the catching of smelts in the waters of Casco Bay and mouth of the Presumpscott River in Cumberland County. (H. P. 336) (H. D. 99)

(Tabled by Mr. Boynton of South Portland pending acceptance of the report and specially assigned for Wednesday, Feb. 27.)

Mr. Ford from same Committee reported same on bill an act relating to the destruction of fish in East Machias Waters (H. P. 431) (H. D. 140) together with accompanying petitions.

Mr. Jackson from the Committee on Taxation reported same on bill an act increasing the amount of the exemption from taxation of household furniture (H. P. 895) (H. D. 295)

Mr. Webster from same Committee reported same on bill an act relating to a tax upon gasoline (H. P. 63) (H. D. 30)

Reports read and accepted, and the bills having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Communication, out of order, from the Secretary of State.

STATE OF MAINE

Department of State

Augusta, February 22nd, 1929

To the President of the Senate and the Speaker of the House of Representatives of the 84th Legislature:

I have the honor herewith to transmit the report on water power resources of the State of Maine provided for under authority of Council order, dated November 27, 1928, the same having been filed this day with the Governor and Council.

Respectfully,

(Signed) EDGAR C. SMITH,

Secretary of State.

Mr. KITCHEN of Presque Isle: Mr. Speaker, I understand this is a lengthy report, some fifty pages, which would require considerable time to read at the present time. Therefore I move that the communication and report be placed on file and that 5,000 copies be printed.

The motion prevailed.

First Reading of Printed Bills

(H. P. 726) An act relating to the Eastport Municipal Court. (H. D. 429)

(Tabled by Miss Laughlin of Portland pending second reading)

(H. P. 1302) An act relating to Classifications of Stock.

(H. P. 1303) An act relating to the formation of corporations having stock without par value. (H. D. 430)

Passed to Be Engrossed

(S. P. 69) (S. D. 39) An act relative to the salary of the Forest Commissioner.

(S. P. 158) (S. D. 181) An act to repeal Section 94 of Chapter 98, Public Laws of 1921, relating to transportation of Lobsters.

(H. P. 1154) (H. D. 368) An act relative to examination papers of applicants for admission to the Bar.

(S. P. 127) (S. D. 58) Resolve relating to Capper-Ketchum act.

(S. P. 129) (S. D. 59) Resolve for aid to typhoid carriers to be expended under the State Department of Health.

(H. P. 1228) (H. D. 413) Resolve in favor of Fred A. Budge of Mattawamkeag.

Orders of the Day

The SPEAKER: The Chair presents the first matter today assigned, being the report of the committee of Education ought to pass on H. P. 290, H. D. 87, an act to provide for the support of the University of Maine, tabled by the member from Norridgewock, Mrs. Folsom, earlier in the morning, and the Chair recognizes the member.

Mrs. FOLSOM: Mr. Speaker and members of the House: House Paper 290, House Document 87, an act to provide for the support of the University of Maine, substitutes for the present method of maintaining and supporting the University of Maine a mill tax. The committee on Education had a public hearing Wednesday on this bill. The President of the University, several of the trustees, and many alumni and friends of the University were present, and all manifested a desire that this bill should pass.

The University of Maine has probably had in the past for its support—the average has probably been a mill. Last year, for the maintenance and support of the University of Maine, we gave seven-eighths of a mill. This year the trustees are asking for one and one-eighth mills. If this bill passes, the trustees will not again have to come before the committee on Education or before the Legislature asking for maintenance. It will relieve them of that duty and they can begin then some program of expansion and growth which will cover a number of years, knowing that the funds necessary for that expansion and growth will be forthcoming. The sum would be a definite sum varying only as the valuation of the State varies. The committee unanimously reported ought to pass on this bill, and I move that the committee's report ought to pass on act to provide for the support of the University of Maine be accepted.

The SPEAKER: The member from Norridgewock, Mrs. Folsom, moves the acceptance of the committee's report ought to pass. Is the House ready for the question?

A viva voce vote being taken the motion to accept the committee's

report, ought to pass, prevailed; and on further motion by the same member the rules were suspended and the bill given its two several readings and tomorrow assigned.

The SPEAKER: There being no further business under Orders of the Day the Chair will make the following statement relative to the status of legislative business at the close of the eighth legislative week.

On Tuesday, February 12, there were pending in the various committees 929 bills. On Tuesday, February 19, there were pending in the committees 953 bills or 24 more than there were the week preceding. Ninety bills went into the committees during the week and only 56 reports came out; that is to say that the committee have not yet reached the point of being able to dispose of bills as fast as they are referred. This is somewhat disappointing, as it seemed reasonable to hope that the peak load in committees was reached last week. Of the measures now in committees some 300 are special road resolves which will not have to be reported out separately and there are other appropriation resolves which will not have to be separately reported. Even making allowance for these measures, however, there still remains to be reported from the committees a great volume of legislation, much of which will go through to enactment, and therefore through the House routine of the several readings. It seems likely that the majority of the bills now in committee are either routine in character or relatively non-controversial and that the consideration and report thereof should not unduly burden the committees. The Chair urges that the committees do their utmost to get in their reports during the six remaining days of the current month, so as to leave the month of March as free as possible for the major problems of the session which will doubtless require debate. With respect to bills of the most controversial character the Chair will suggest that when an agreement in committee and a consequent unanimous report is obviously impossible, alternative reports be brought into the House promptly for the acceptance of the one or the other instead of holding

bills in committee for a more prolonged discussion when the chance of ultimate agreement is negligible.

Beginning on Tuesday, March 5th, Tuesday sessions will probably be at 10 o'clock in the forenoon. It is suggested that committees make plans to use Tuesday afternoons from March 5th on either for hearings or executive sessions. Later in March there will be sessions in all

probability at four o'clock on Monday afternoons, but those sessions will probably not be held on the first Mondays in March when many of the members desire to attend the town meetings.

On motion by Mr. Gillespie of Meddybemps,

Adjourned until Tuesday, February 26, at 4 P. M.