

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

HOUSE

Tuesday, February 11, 1941.

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

Prayer by the Rev. Mr. Pressey of Augusta.

Journal of the previous session read and approved.

Bills and Resolves from the Senate requiring reference disposed of in concurrence.

From the Senate:

Report from the Bureau of Health and Welfare of the Department of Health and Welfare and Public Utilities Commission jointly, on Investigation of Pollution Conditions of Androscoggin River Waters, with recommendations for remedial legislation, in compliance with H. P. 2293 of the 89th Legislature (S. P. 301)

(The full text of this Report will be found in the Legislative Proceedings of the Senate for Thursday, February 6th, 1941)

Came from the Senate, ordered placed on file.

In the House, the Report was read, and on motion by Mr. Lambert of Lewiston, was accepted and ordered placed on file in concurrence.

From the Senate:

Report of the Committee on Pensions on Resolve Granting a Pension to Eva Mae McShea (S. P. 122) reporting that same be referred to the Committee on Education.

Comes from the Senate, the Report read and accepted and the Resolve referred to the Committee on Education.

In the House, Report was read and accepted in concurrence and the Resolve referred to the Committee on Education in concurrence.

Senate Bills in First Reading

Bill "An Act relating to the Port of Portland Authority" (S. P. 102) (L. D. 146)

Bill was read twice and tomorrow assigned.

Reports Tabled

From the Senate:

Report of the Committee on Towns reporting "Ought to pass" on Bill "An Act to Provide for the Surrender by Town of Baring of its Organization" (S. P. 84) (L. D. 68)

Came from the Senate, Report read and accepted and the Bill passed to be engrossed.

In the House, on motion by Mr. Dwinal of Camden, tabled pending acceptance of Committee Report.

From the Senate:

Report of the Committee on Towns reporting "Ought to pass" on Bill "An Act to provide for the surrender by Topsfield Plantation of its Organization" (S. P. 127) (L. D. 152)

Came from the Senate, Report read and accepted and the Bill passed to be engrossed.

In the House, on motion by Mr. Dwinal of Camden, tabled pending acceptance of Committee Report.

From the Senate:

Report of the Committee on Judiciary on Bill "An Act relating to Petitions for Discontinuance of Highways" (S. P. 117) (L. D. 155) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate, the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill was given its two several readings. Committee Amendment "A" was read by the Clerk as follows:

Committee Amendment "A" to L. D. 155, S. P. 117, "AN ACT Relating to Petitions for Discontinuance of Highways."

Amend Section 56 by inserting after the word 'county' in the 7th line thereof, the following: '**or in the State paper, if no paper is published in the county.**'

Committee Amendment "A" was then adopted in concurrence and tomorrow assigned for third reading of the Bill.

The following Bills and Resolves were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act relating to the Sale of Nursery Stock" (H. P. 1334) (Presented by Mr. Cross of Augusta) (750 copies ordered printed)

Bill "An Act for the Eradication of Ragweed" (H. P. 1335) (Presented by Mr. Fickett of Naples)
(750 copies ordered printed)

Bill "An Act relating to Sellers of Milk and Cream" (H. P. 1335) (Presented by Mr. Jacobs of Auburn)
(750 copies ordered printed)

Bill "An Act relating to Branding of Potatoes" (H. P. 1337) (Presented by Mr. Phair of Caswell Pl.)
(750 copies ordered printed)
Sent up for concurrence.

Banks and Banking

Bill "An Act relating to Savings Bank Life Insurance" (H. P. 1338) (Presented by Mr. Pierce of Bucksport)
(750 copies ordered printed)
Sent up for concurrence.

Claims

Resolve in favor of Graves Furniture Company of Presque Isle (H. P. 1288) (Presented by Mr. Brewer of Presque Isle)

Resolve in favor of Hazel P. Adams of Readfield (H. P. 1289) (Presented by Mr. Downs of Rome)

Resolve in favor of Jackman Plantation (H. P. 1290) (Presented by Mr. Dutton of Bingham)

Resolve in favor of Scott Robert of Camden (H. P. 1291) (Presented by Mr. Dwinal of Camden)

Resolve in favor of the town of Camden (H. P. 1292) (Presented by same gentleman)

Resolve in favor of the town of Patten (H. P. 1293) (Presented by Mr. Estabrook of Stacyville)

Resolve in favor of the town of Newcastle (H. P. 1294) (Presented by Mrs. Grady of Whitefield)

Resolve in favor of the town of Etna (H. P. 1295) (Presented by Mr. Newcomb of Carmel)

Resolve in favor of the city of Eastport (H. P. 1320) (Presented by Mr. Murchie of Calais by request)

Resolve in favor of the city of Eastport (H. P. 1321) (Presented by same gentleman by request)

Resolve in favor of the city of Eastport (H. P. 1322) (Presented by same gentleman by request)

Resolve reimbursing the town of Berwick for Medical Services and care for Cora Pike Scribner (H. P. 1323) (Presented by Mr. Welch of No. Berwick)
Sent up for concurrence.

Counties

Bill "An Act requiring Sheriffs to Locate Hunters and Fishermen who are Lost" (H. P. 1339) (Presented by Mr. Brewer of Presque Isle)
(600 copies ordered printed)

Bill "An Act relating to Androscoggin County Law Library" (H. P. 1340) (Presented by Mr. Conant of Auburn)

(600 copies ordered printed)
Sent up for concurrence.

Education

Bill "An Act relating to School Tax in Unorganized Territory" (H. P. 1341) (Presented by Mr. Dutton of Bingham by request)
(600 copies ordered printed)

Bill "An Act relating to Regulation of Expense of Certain Children Attending Public Schools" (H. P. 1342) (Presented by Mr. Fuller of China by request)
(600 copies ordered printed)

Bill "An Act relating to School Age" (H. P. 1343) (Presented by Mr. Sayward of Kennebunk)

(600 copies ordered printed)
Sent up for concurrence.

Federal Relations

Bill "An Act amending the Unemployment Law so as to Permit Corrections of Benefit Claims" (H. P. 1344) (Presented by Mr. Grua of Livermore Falls)
(750 copies ordered printed)

Bill "An Act amending the Unemployment Compensation Law in connection with Experience Rating." (H. P. 1345) (Presented by same gentleman)
(750 copies ordered printed)

Bill "An Act to amend the Unemployment Compensation Law with respect to Advisory Councils." (H. P. 1346) (Presented by same gentleman)
(750 copies ordered printed)

Bill "An Act relating to the Unemployment Compensation Law." (H. P. 1347) (Presented by Mr. Warren of Westbrook)
(750 copies ordered printed)

Bill "An Act providing for Disqualification for Benefits under the Unemployment Compensation Law." (H. P. 1348) (Presented by same gentleman)
(750 copies ordered printed)

(750 copies ordered printed)
Sent up for concurrence.

Indian Affairs

Bill "An Act relating to Health Officer for Penobscot Tribe of Indians." (H. P. 1349) (Presented by Mr. Sylvia of Danforth.)

(600 copies ordered printed)

Bill "An Act relating to Schools at Pleasant Point and Peter Dana's Point" (H. P. 1350) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to the Penobscot Tribe of Indians" (H. P. 1351) (Presented by same gentleman)

(600 copies ordered printed)

Sent up for concurrence.

Bill "An act relating to Representation of Indian Tribes at the Legislature" (H. P. 1352) (Presented by Mr. Bragdon of Perham)

(500 copies ordered printed)

Bill "An Act relating to the Penobscot and Passamaquoddy Tribe of Indians" (H. P. 1353) (Presented by Mr. Sylvia of Danforth)

(500 copies ordered printed)

Bill "An Act relating to the Passamaquoddy Tribe of Indians" (H. P. 1354) (Presented by the same gentleman)

(500 copies ordered printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to the Sale of Deer Meat" (H. P. 1355) (Presented by Mr. Anderson of Oxbow Pl.)

(600 copies ordered printed)

Bill "An Act relative to Daily Limit on Pickerel" (H. P. 1356) (Presented by Mr. Brown of Corinna)

(600 copies ordered printed)

Bill "An Act relative to Hunting of Game Birds" (H. P. 1357) (Presented by Mr. Davis of Buxton)

(600 copies ordered printed)

Bill "An Act relative to Non-resident Hunting Licenses" (H. P. 1358) (Presented by Miss Deering of Bath)

(600 copies ordered printed)

Bill "An Act relative to Guides Licenses" (H. P. 1359) (Presented by same member)

(600 copies ordered printed)

Bill "An Act relative to Non-resident Fishing License Fees" (H. P. 1360) (Presented by same member)

(600 copies ordered printed)

Bill "An Act requiring Fish and Game Wardens to Locate Hunters and Fishermen who are Lost" (H.

P. 1361) (Presented by Mr. Dorrance of Richmond by request)

(600 copies ordered printed)

Bill "An Act relating to Bounty on Bears" (H. P. 1362) (Presented by Mr. Dutton of Bingham)

(600 copies ordered printed)

Bill "An Act relative to Revocation of Hunting and Fishing Licenses" (H. P. 1363) (Presented by Mr. Hanold of Standish)

(600 copies ordered printed)

Bill "An Act relative to Trapping Deer on Mt. Desert Island" (H. P. 1364) (Presented by Mr. MacLeod of Bar Harbor)

(600 copies ordered printed)

Bill "An Act relating to Trapping" (H. P. 1365) (Presented by Mr. McKusick of Parkman)

(600 copies ordered printed)

Bill "An Act relative to Visiting Traps" (H. P. 1366) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relative to Trapping Muskrats" (H. P. 1367) (Presented by Mr. Preble of Millinocket)

(600 copies ordered printed)

Bill "An Act relating to Trapping" (H. P. 1368) (Presented by Mr. Smith of Bangor)

(600 copies ordered printed)

Bill "An Act relative to Training of Fox Hounds" (H. P. 1369) (Presented by Mr. Tozier of Fairfield)

(600 copies ordered printed)

Bill "An Act relative to Field Trials and Training Bird Dogs" (H. P. 1370) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relative to Size of Fish and Weight of Catch Limited" (H. P. 1371) (Presented by same gentleman by request)

(600 copies ordered printed)

Bill "An Act relative to Closed Time on Wild Hares and Rabbits" (H. P. 1372) (Presented by same gentleman by request)

(600 copies ordered printed)

Bill "An Act relative to Trapping" (H. P. 1373) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relative to Closing Stocked Waters" (H. P. 1374) (Presented by Mr. Wallace of Sanford)

(600 copies ordered printed)

Bill "An Act relative to Open Season on Beaver" (H. P. 1375) (Presented by Mr. Welch of Chapman)

(600 copies ordered printed)

Bill "An Act relative to Trans-

portation of Deer within State" (H. P. 1376) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relative to Transportation of Fish, Game and Fur-bearing Animals by Aeroplane" (H. P. 1377) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relative to Possession of Partridge" (H. P. 1378) (Presented by same gentleman)

(600 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Trapping in Washington County" (H. P. 1380) (Presented by Mr. McFadden of Pembroke)

(500 copies ordered printed)

Bill "An Act relative to Game Preserve in Caswell Plantation" (H. P. 1381) (Presented by Mr. Phair of Caswell Pl.)

(500 copies ordered printed)

Bill "An Act relating to Muskrats in Kennebec County" (H. P. 1383) (Presented by Mr. Slosberg of Gardiner)

(500 copies ordered printed)

Resolve permitting the Building of a Fish Pond in Madison (H. P. 1379) (Presented by Mr. Fenlason of Anson)

(500 copies ordered printed)

Resolve relating to Plug Fishing in the Belgrade Chain of Lakes (H. P. 1382) (Presented by Mr. Rodrigue of Waterville)

(500 copies ordered printed)

Sent up for concurrence.

Interior Waters

Bill "An Act Making Unlawful the Deposit of Certain Materials in or on the Banks of the St. John and Fish Rivers" (H. P. 1384) (Presented by Mr. Labbe of Fort Kent)

(600 copies ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act for the Establishment of Highway Protective Areas" (H. P. 1385) (Presented by Mr. Leavitt of Portland by request)

(1000 copies ordered printed)

Sent up for concurrence.

Bill "An Act Authorizing the Creation of Housing Authorities in the Several Cities and Towns" (H. P. 1386) (Presented by Mr. Goldsmith of Orono by request)

(750 copies ordered printed)

Bill "An Act relating to Remedying and Elimination of Dwellings Unfit for Human Habitation" (H.

P. 1387) (Presented by same member by request)

(750 copies ordered printed)

Bill "An Act relating to Airport Zoning" (H. P. 1389) (Presented by Mr. Payson of Portland)

(750 copies ordered printed)

Bill "An Act Authorizing Cities and Towns to Appropriate Money and Acquire Lands for Use as Public Parking Places" (H. P. 1390) (Presented by Mr. Southard of Augusta)

(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act Requiring the Payment of Poll Tax before Obtaining Hunting and Fishing Licenses" (H. P. 1392) (Presented by Mr. Anderson of Oxbow Pl.)

(600 copies ordered printed)

Bill "An Act relating to Expenses of Patients in State Institutions" (H. P. 1393) (Presented by Mr. Bowers of Sherman)

(600 copies ordered printed)

Bill "An Act relating to Interest Charges on Unpaid State and County Taxes" (H. P. 1394) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act providing for an Assistant County Attorney for Penobscot County" (H. P. 1395) (Presented by Mr. Briggs of Hampden)

(600 copies ordered printed)

Bill "An Act relating to Municipal Courts in Juvenile Delinquencies" (H. P. 1396) (Presented by Mr. Brown of Bangor)

(600 copies ordered printed)

Bill "An Act relating to Eviction" (H. P. 1397) (Presented by Mr. Conant of Auburn by request)

(600 copies ordered printed)

Bill "An Act relating to the Publication of Legal Notices, Legal Advertising and Other Matter Required by Law to be Published in a Newspaper" (H. P. 1398) (Presented by same gentleman by request)

(600 copies ordered printed)

Bill "An Act relating to the Election of County Attorneys" (H. P. 1399) (presented by same gentleman by request)

(600 copies ordered printed)

Bill "An Act relating to Fees of the Clerks of the Judicial Courts" (H. P. 1400) (Presented by Mr. Cross of Augusta by request)

(600 copies ordered printed)

Bill "An Act relating to Absentee Ballots" (H. P. 1401) (Presented by Mr. Doughty of Gray)

(600 copies ordered printed)

Bill "An Act relating to the Pownal State School" (H. P. 1402) (Presented by Mr. Eddy of Bangor) (600 copies ordered printed)

Bill "An Act relating to Warrants Posted in Wards in Cities and Towns" (H. P. 1403) (Presented by Mr. Fickett of Naples)

(600 copies ordered printed)

Bill "An Act relating to Enforcement of Support Decrees" (H. P. 1404) (Presented by Mr. Grua of Livermore Falls)

(600 copies ordered printed)

Bill "An Act relating to Legal Documents" (H. P. 1405) (Presented by Mr. Hinckley of So. Portland) (600 copies ordered printed)

Bill "An Act Creating a Rule of Evidence in certain Criminal Prosecutions under the Motor Vehicle Law" (H. P. 1406) (Presented by Mr. Jacobs of Auburn by request) (600 copies ordered printed)

Bill "An Act relating to Referendum Ballots" (H. P. 1407) (Presented by Mr. Lambert of Lewiston) (600 copies ordered printed)

Bill "An Act relating to the Counting of Ballots" (H. P. 1408) (Presented by Mr. Leveque of Lewiston)

(600 copies ordered printed)

Bill "An Act relating to Names on Ballots" (H. P. 1409) (Presented by Mr. McIntire of Phippsburg) (600 copies ordered printed)

Bill "An Act relating to Appeals in Civil Cases to the Superior Court" (H. P. 1410) (Presented by Mr. McNamara of Winthrop)

(600 copies ordered printed)

Bill "An Act relating to Jurisdiction on Divorce Libels" (H. P. 1411) (Presented by Mr. Mercier of Rumford)

(600 copies ordered printed)

Bill "An Act relating to the Collection of a Poll Tax" (H. P. 1412) (Presented by Mr. Mills of Farmington)

(600 copies ordered printed)

Bill "An Act Making Illegal Contracts to Remit or Abate Taxes" (H. P. 1413) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to Consent of Parents to Marriages" (H. P. 1414) (Presented by Mr. Payson of Portland)

(600 copies ordered printed)

Bill "An Act to Authorize the Incorporation of Credit Unions" (H.

P. 1415) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to Custody of Children" (H. P. 1416) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to Boards of Zoning Ordinances" (H. P. 1417)

(Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act Declaring Municipal Airports to be Agencies of the State" (H. P. 1418) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to Absentee Ballots in Towns using the Australian Ballot" (H. P. 1419) (Presented by Mr. Pelletier of Sanford)

(600 copies ordered printed)

Bill "An Act relating to Emergency Aid on Hospital Cases" (H. P. 1420) (Presented by Mr. Phair of Caswell Pl.)

(600 copies ordered printed)

Bill "An Act relating to Medical Examiners and their Duties" (H. P. 1421) (Presented by Mr. Pierce of Bucksport)

(600 copies ordered printed)

Bill "An Act relating to Harbor Masters" (H. P. 1422) (Presented by Mr. Race of Boothbay)

(600 copies ordered printed)

Bill "An Act relating to Election Returns" (H. P. 1423) (Presented by Mr. Rankin of Bridgton)

(600 copies ordered printed)

Bill "An Act relating to Recognition of Political Parties on Ballots" (H. P. 1424) (Presented by Mr. Richardson of Strong)

(600 copies ordered printed)

Bill "An Act relating to Levy upon Shares of Stock" (H. P. 1426) (Presented by Mr. Southard of Augusta)

(600 copies ordered printed)

Bill "An Act relating to Attachment of Shares of Stock" (H. P. 1427) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to the preemptive Right of Stockholders" (H. P. 1428) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to Traffic Safety" (H. P. 1429) (Presented by Mr. Weston of Farmingdale)

(600 copies ordered printed)

Bill "An Act relating to Registers of Deeds" (H. P. 1430) (Presented by Mr. Williams of Bethel)

(600 copies ordered printed)

Sent up for concurrence.

Resolve Proposing an Amendment to the Constitution to Provide for an Adjustment of Real Estate Taxation (H. P. 1391) (Presented by Mr. Grua of Livermore Falls)

(750 copies ordered printed)

Resolve Proposing an Amendment to the Constitution to provide for the Appointment of the Attorney-general by the Chief Justice of the Supreme Judicial Court (H. P. 1425) (Presented by Mr. Payson of Portland)

(750 copies ordered printed)

Sent up for concurrence.

Labor

Bill "An Act Regulating Hours of Labor" (H. P. 1433) (Presented by Mr. Pierce of Bucksport)

(1000 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to the safety of Workers in Building Construction" (H. P. 1431) (Presented by Mr. Eddy of Bangor)

(750 copies ordered printed)

Bill "An Act relating to Payment of Wages" (H. P. 1432) (Presented by Mr. Fenlason of Anson)

(750 copies ordered printed)

Bill "An Act relating to Employment of Females" (H. P. 1434) (Presented by Mr. Pierce of Bucksport)

(750 copies ordered printed)

Bill "An Act relating to Employment of Minors and Females" (H. P. 1435) (Presented by same gentleman)

(750 copies ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Defining, Regulating and Taxing Games of Skill" (H. P. 1436) (Presented by Mr. Pierce of Bucksport)

(1000 copies ordered printed)

Bill "An Act to Tax Coin Vending Machines and to Make Legal the Leasing, Possession and Operation of the Same" (H. P. 1437) (Presented by same gentleman)

(1000 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Reports to Assessors of Cities, Towns and Plantations" (H. P. 1388) (Presented by Mr. Jones of Rockland)

(750 copies ordered printed)

Bill "An Act relating to the Publication of Legal Notices" (H. P. 1438) (Presented by Mr. Lambert of Lewiston)

(750 copies ordered printed)

Bill "An Act relating to Organi-

zation of Consumers' and Producers' Co-operatives" (H. P. 1439) (Presented by Mr. Leavitt of Portland)

(750 copies ordered printed)

Bill "An Act relating to Municipal Ordinances" (H. P. 1440) (Presented by Mr. Payson of Portland)

(750 copies ordered printed)

Bill "An Act relating to Expense of Pauper Support" (H. P. 1441) (Presented by same gentleman)

(750 copies ordered printed)

Bill "An Act relating to the Game of Beano, etc." (H. P. 1442) (Presented by Mr. Pierce of Bucksport)

(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Town Reports" (H. P. 1443) (Presented by Mr. Briggs of Hampden)

(600 copies ordered printed)

Bill "An Act relative to Fish and Game Wardens in the Military Service" (H. P. 1444) (Presented by Mr. Davis of Buxton)

(600 copies ordered printed)

Bill "An Act relating to the Personnel Law" (H. P. 1445) (Presented by Mr. Flagg of Portland)

(600 copies ordered printed)

Bill "An Act relating to Gambling" (H. P. 1446) (Presented by Mr. Hinckley of South Portland)

(600 copies ordered printed)

Bill "An Act relating to Bond of Innkeepers, Victualers and Lodging-Houses" (H. P. 1447) (Presented by Mr. Lambert of Lewiston)

(600 copies ordered printed)

Bill "An Act relating to Appointments of Health Officers" (H. P. 1448) (Presented by Mr. Newcomb of Carmel)

(600 copies ordered printed)

Bill "An Act relating to Overseers of the Poor" (H. P. 1449) (Presented by Mr. Payson of Portland)

(600 copies ordered printed)

Bill "An Act relating to the Licensing of Steam Engineers and Firemen" (H. P. 1450) (Presented by Mr. Pierce of Bucksport)

(600 copies ordered printed)

Sent up for concurrence.

Mercantile Affairs and Insurance

Bill "An Act providing for Financing of Mutual Insurance Companies" (H. P. 1451) (Presented by Mr. Pierce of Bucksport)

(600 copies ordered printed)

Bill "An Act relating to Fire Protection" (H. P. 1452) (Presented by same gentleman)

(600 copies ordered printed)

Sent up for concurrence.

Motor Vehicles

Bill "An Act relating to Non-resident Vehicles and Operators" (H. P. 1453) (Presented by Mr. Crockett of North Haven)

(750 copies ordered printed)

Bill "An Act relating to Prepayment of Excise Tax on Motor Vehicles" (H. P. 1454) (Presented by Mr. Hamilton of Hartland)

(750 copies ordered printed)

Bill "An Act relating to Non-resident Vehicles and Operators" (H. P. 1455) (Presented by Mr. Pierce of Bucksport)

(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to 'Transfer Places'" (H. P. 1456) (Presented by same gentleman)

(600 copies ordered printed)

Bill "An Act relating to Reserved Number Plates for Motor Vehicles" (H. P. 1457) (Presented by Mr. Race of Boothbay)

(600 copies ordered printed)

Bill "An Act Exempting Farm Tractors from Registration Fees" (H. P. 1458) (Presented by Mr. Welch of Chapman)

(600 copies ordered printed)

Sent up for concurrence.

Pensions

Bill "An Act relating to Pensions" (H. P. 1459) (Presented by Mr. Welch of No. Berwick)

(600 copies ordered printed)

Sent up for concurrence.

Resolve granting State Pension to Ethel Prime of Vassalboro (H. P. 1296) (Presented by Mr. Belanger of Winslow)

Resolve granting State Pension to Percy Jakins of Winslow (H. P. 1297) (Presented by same gentleman)

Resolve in favor of Alec Pelkey of Caribou (H. P. 1298) (Presented by Mr. Libby of Caribou)

Resolve in favor of William Joseph Langen of Caribou (H. P. 1299) (Presented by same gentleman)

Resolve providing for a State Pension for Blanche French of Carmel (H. P. 1300) (Presented by Mr. Newcomb of Carmel)

Resolve providing for an Increase in State Pension for George W. Worthing of Levant (H. P. 301) (Presented by same gentleman)

Resolve granting State Pension for Rachel Towne of Kennebunk (H. P. 1302) (Presented by Mr. Sayward of Kennebunk)

Resolve in favor of Mary S. Diplock of Augusta (H. P. 1303) (Presented by Mr. Southard of Augusta)

Resolve providing for a State Pension for Lillian M. Sterling of Augusta (H. P. 1304) (Presented by same gentleman)

Resolve providing for an Increase in State Pension for Edward Leighton of Gardiner (H. P. 1305) (Presented by Mr. Slosberg of Gardiner)

Resolve providing for a State Pension for Halbert S. Libby of Millinocket (H. P. 1324) (Presented by Mr. Brown of Corinna)

Resolve providing for a State Pension for Delphine Goodwin of Pittston (H. P. 1325) (Presented by Mr. Fuller of China)

Resolve providing for a State Pension for Charles Webster of Belgrade (H. P. 1326) (Presented by Mr. McGill of Belgrade)

Resolve in favor of Emma M. Wakefield of Bath (H. P. 1460) (Presented by Mr. Buker of Bath)

Sent up for concurrence.

Public Utilities

Bill "An Act to enable Cities, Towns and Organized Plantations to Produce and Distribute Electricity Within their Territories Limits" (H. P. 1461) (Presented by Mr. Conant of Auburn)

(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Common Carriers" (H. P. 1462) (Presented by Mr. LaFleur of Portland)

(600 copies ordered printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act relating to Town Clerks" (H. P. 1463) (Presented by Mr. Payson of Portland)

(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to the Salary of the Attorney-general" (H. P. 1464) (Presented by Mr. Payson of Portland)

(500 copies ordered printed)

Bill "An Act relating to Deputy Forest Fire Wardens" (H. P. 1465) (Presented by Mr. McKusick of Parkman)

(500 copies ordered printed)

Bill "An Act relating to the Salary of Register of Probate of Kennebec County" (H. P. 1466) (Presented by Mr. Slosberg of Gardiner)

(500 copies ordered printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act permitting the Digging of Clams in the York River for Bait only" (H. P. 1467) (Presented by Mr. Pearson of Kennebunkport) (600 copies ordered printed)
 Bill "An Act relative to Taking of Salmon in Penobscot River" (H. P. 1468) (Presented by Mr. Eddy of Bangor) (600 copies ordered printed)
 Sent up for concurrence.

State Lands and Forest Preservation

Bill "An Act relating to the School or Reserved Lands of the State" (H. P. 1469) (Presented by Mr. Mills of Farmington) (600 copies ordered printed)
 Bill "An Act relating to Seed Trees" (H. P. 1470) (Presented by Mr. Starrett of Warren) (600 copies ordered printed)
 Sent up for concurrence.

Taxation

Bill "An Act Imposing an Income Tax" (H. P. 1473) (Presented by Mr. Bubar of Weston) (1000 copies ordered printed)
 Bill "An Act relating to the Taxation of Intangible Personal Property" (H. P. 1471) (Presented by same gentleman) (1000 copies ordered printed)
 Bill "An Act Imposing an Excise Tax on Electricity" (H. P. 1472) (Presented by same gentleman) (1000 copies ordered printed)
 Bill "An Act relating to Taxes upon Wines and Spirits" (H. P. 1474) (Presented by Mr. Good of Monticello) (1000 copies ordered printed)
 Bill "An Act Imposing an Additional Gasoline Tax" (H. P. 1475) (Presented by Mr. Holman of Dixfield) (1000 copies ordered printed)
 Bill "An Act Imposing a Sales Tax" (H. P. 1476) (Presented by Mr. Littlefield of Albion) (1000 copies ordered printed)
 Bill "An Act relating to Taxation and Providing for a Universal Tax on Gross Incomes" (H. P. 1477) (Presented by Mr. Mercier of Rumford by request) (1000 copies ordered printed)
 Bill "An Act relating to a Tax on Gasoline and Other Products Used for Motor Fuel" (H. P. 1478) (Presented by Mr. Richardson of Strong) (1000 copies ordered printed)
 Bill "An Act Levying a Use Fuel

Tax" (H. P. 1479) (Presented by same gentleman) (1000 copies ordered printed)
 Bill "An Act to Impose an Occupation Tax on Conducting a Business by a System of Chain Stores" (H. P. 1480) (Presented by Mr. Roy of Lewiston) (1000 copies ordered printed)
 Bill "An Act Imposing an Excise Tax upon the Privilege of Owning Land in This State for the Benefit of Old Age Assistance" (H. P. 1481) (Presented by Mr. Sichel of Lisbon by request) (1000 copies ordered printed)
 Sent up for concurrence.
 Bill "An Act to provide Funds for Construction of Bridges" (H. P. 1497) (Presented by Mr. Holman of Dixfield by request) (750 copies ordered printed)
 Bill "An Act relating to Poll Taxes for Males and Females" (H. P. 1482) (Presented by same gentleman) (750 copies ordered printed)
 Bill "An Act to Define Internal Combustion Engine Fuel" (H. P. 1483) (Presented by Mr. Richardson of Strong) (750 copies ordered printed)
 Bill "An Act to Exempt Soldiers and Sailors from Poll Taxes" (H. P. 1484) (Presented by Mr. Shesong of Portland) (750 copies ordered printed)
 Sent up for concurrence.

Temperance

Bill "An Act relating to Licenses to Sell Malt Liquors" (H. P. 1485) (Presented by Mr. Lambert of Lewiston by request) (600 copies ordered printed)
 Bill "An Act relating to Hearings on Applications for Liquor Licenses" (H. P. 1486) (Presented by Mr. Rankin of Bridgton) (600 copies ordered printed)
 Bill "An Act relating to the Sale of Malt Liquors Near Schools" (H. P. 1487) (Presented by same gentleman) (600 copies ordered printed)
 Bill "An Act relating to Hotel Liquor Licenses" (H. P. 1488) (Presented by Mr. Sleeper of Rockland) (600 copies ordered printed)
 Bill "An Act to Regulate the Sale of Wines Produced by Natural Fermentation or Fortified" (H. P. 1489) (Presented by Mr. Slosberg of Gardiner by request) (600 copies ordered printed)

Bill "An Act relating to Restaurant and Locations of Restaurants Handling Malt Beverages" (H. P. 1490) (Presented by same gentleman by request)

(600 copies ordered printed)

Bill "An Act relating to the Fees for Licenses for Hotels, Restaurants and Clubs which are Licensed to Sell Malt Liquors to be Consumed on the Premises as well as Vinous and Spiritous Liquors to be Consumed on the Premises" (H. P. 1491) (Presented by Mr. Small of E. Machias)

(600 copies ordered printed)

Bill "An Act Regulating the Sale of Liquor Near National Homes" (H. P. 1492) (Presented by Mr. Southard of Augusta)

(600 copies ordered printed)

Sent up for concurrence.

Towns

Bill "An Act Relating to the Officers Chosen by Ballot" (H. P. 1493) (Presented by Mr. Fickett of Naples)

(600 copies ordered printed)

Bill "An Act relating to the Perambulation of Town Lines" (H. P. 1494) (Presented by Mr. Williams of Bethel)

(600 copies ordered printed)

Bill "An Act relating to Records of Deorganized Municipalities" (H. P. 1495) (Presented by Mr. Williams of Clifton)

(600 copies ordered printed)

Sent up for concurrence.

Ways and Bridges

Bill "An Act relating to the Carlton Bridge" (H. P. 1496) (Presented by Mr. Buker of Bath)

(750 copies ordered printed)

Bill "An Act relating to Maintenance of Bridges" (H. P. 1498) (Presented by Mr. Race of Boothbay)

(750 copies ordered printed)

Sent up for concurrence.

Resolve in favor of the town of Winslow (H. P. 1306) (Presented by Mr. Belanger of Winslow)

Resolve in favor of the town of Winslow (H. P. 1307) (Presented by same gentleman)

Resolve in favor of the town of Vassalboro (H. P. 1308) (Presented by same gentleman)

Resolve in favor of the town of Winslow (H. P. 1309) (Presented by same gentleman)

Resolve in favor of the town of Eagle Lake (H. P. 1310) (Presented by Mr. Brown of Eagle Lake)

Resolve in favor of the town of Stetson (H. P. 1311) (Presented by Mr. Brown of Corinna)

Resolve in favor of the Plantation of Jackman (H. P. 1312) (Presented by Mr. Dutton of Bingham)

Resolve in favor of a Road from Caratunk to the Border (H. P. 1313) (Presented by same gentleman)

Resolve in favor of Jackman Plantation (H. P. 1314) (Presented by same gentleman)

Resolve in favor of Rockwood Plantation (H. P. 1315) (Presented by same gentleman)

Resolve in favor of Rebuilding a Section of the Highway on Stillwater Avenue, between Bangor and Orono (H. P. 1316) (Presented by Mr. Eddy of Bangor)

Resolve in favor of Stacyville Plantation (H. P. 1317) (Presented by Mr. Estabrook of Stacyville)

Resolve in favor of the town of Jefferson (H. P. 1318) (Presented by Mrs. Grady of Whitefield)

Resolve in favor of the town of Jefferson (H. P. 1319) (Presented by same member)

Resolve in favor of the town of Wiscasset (H. P. 1327) (Presented by Mr. Denny of Damariscotta)

Resolve in favor of the city of Rockland (H. P. 1328) (Presented by Mr. Jones of Rockland)

Resolve in favor of the city of Eastport (H. P. 1329) (Presented by Mr. Murchie of Calais by request)

Resolve in favor of the city of Eastport (H. P. 1330) (Presented by same gentleman by request)

Resolve in favor of the city of Eastport (H. P. 1331) (Presented by same gentleman by request)

Resolve in favor of Moose River Plantation (H. P. 1499) (Presented by Mr. Dutton of Bingham)

Sent up for concurrence.

Orders

On motion by Mr. McGlauffin of Portland, it was

ORDERED, that Mr Forhan of Canton, be excused from attendance because of illness.

On motion by Mr. Pratt of Turner, it was

ORDERED, that the Clerk of the House be, and hereby is, directed to strike from the roll call of members of the House of Representatives the names of Oscar Robbins and Thomas Macdonald.

On motion by Mr. Pierce of Bucksport, it was

ORDERED, that there be printed 500 additional copies of H. P. 1220, L. D. 437, An Act to Incorporate the town of Lucerne.

On motion by Mr. Bubar of Weston, it was

ORDERED, that Rev. Joseph Bubar of Vassalboro, be invited to act as Chaplain of the House on Thursday, February 13th.

Reports of Committees

Ought not to Pass

Mr. Davis from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Fishing in Chase's Pond (H. P. 420) (L. D. 169)

Mr. Fenlason from same Committee reported same on Resolve Regulating Fishing on Long Pond (H. P. 332) (L. D. 128)

Mr. Starrett from same Committee reported same on Resolve relating to Fishing for Bass in Highland Lake (H. P. 334) (L. D. 130)

Same gentleman from same Committee reported same on Bill "An Act Creating a Bird Sanctuary on Bustin Island" (H. P. 4) (L. D. 3)

Mr. Davis from the Committee on Temperance reported same on Bill "An Act Forbidding Sale of Liquor to Certain Persons" (H. P. 324) (L. D. 123) as it is taken care of by other legislation.

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. LaFleur from the Committee on Public Utilities on Bill "An Act Authorizing Penobscot County Water Company to Obtain and Maintain a Supply of Water for its Corporate Purposes" (H. P. 444) (L. D. 138) reported same in a new draft (H. P. 1332) under same title and that it "Ought to pass"

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

Report Tabled

Mr. Farwell from the Committee on Public Utilities on Bill "An Act Extending the Exemptions from the Common Carrier Law" (H. P. 166) (L. D. 63) reported same in a new draft (H. P. 1333) under same title and that it "Ought to pass"

(On motion by Mr. Farwell of

Unity, tabled pending acceptance of the Committee Report)

Ought to Pass

Mr. Fenlason from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Barkers Pond (H. P. 301) (L. D. 111)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Swan Pond (H. P. 300) (L. D. 110)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Moose Pond (H. P. 423) (L. D. 172)

Same gentleman from same Committee reported same on Resolve Opening Lower Chain Lake in Washington County to Fishing for Pickerel (H. P. 331) (L. D. 127)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Hargraves Mill Pond, Dog or Mud Pond and Round Pond (H. P. 305) (L. D. 115)

Mr. Hanold from same Committee reported same on Resolve Regulating Fishing in Moose Pond Little (H. P. 425) (L. D. 174)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in York and Cumberland Counties (H. P. 299) (L. D. 109)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in York and Cumberland Counties (H. P. 303) (L. D. 113)

Same gentleman from same Committee reported same on Resolve Opening Adams Pond to Fishing (H. P. 335) (L. D. 131)

Mr. Starrett from same Committee reported same on Bill "An Act relating to Katahdin Wild Life Sanctuary, formerly called Katahdin Game Preserve and Enlarging Same" (H. P. 245) (L. D. 84)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Sand Pond (H. P. 422) (L. D. 171)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Manns Mill Pond, Little Poverty Pond and Shy Beaver Pond (H. P. 426) (L. D. 175)

Mr. Winter from same Committee reported same on Resolve Regulating Fishing in Moose Pond (H. P. 424) (L. D. 173)

Mr. Otto from the Committee on

Public Utilities reported same on Bill "An Act to Extend the Charter of the Central Aroostook Railway Company" (H. P. 352) (L. D. 139)

Reports were read and accepted.

First Reading of Printed Bills

Bill "An Act to Provide for the Surrender by Unity Plantation of Its Organization" (H. P. 357) (L. D. 143)

Bill "An Act relating to Clerk Hire by the Judge of the Municipal Court of Waterville" (H. P. 260) (L. D. 89)

Bill "An Act Authorizing the town of Island Falls to Raise Money" (H. P. 263) (L. D. 92)

Bills were read twice and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to Inland Fish and Game Wardens" (H. P. 311) (L. D. 120)

Bill "An Act relating to the Old Folks Home at Bath" (H. P. 336) (L. D. 132)

Bill "An Act relating to Liens on Watches, Clocks, Jewelry and Radio Equipment" (H. P. 337) (L. D. 133)

Bill "An Act relating to the Protestant Episcopal Church in Maine" (H. P. 428) (L. D. 177)

Resolve Regulating Fishing in Tributaries to Garland Pond (S. P. 64) (L. D. 72)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

Orders of the Day

On motion by Mr. Dwinal of Camden, the House voted to take from the table, Report of the Committee on Towns reporting "Ought to pass" on Bill "An Act to provide for the Surrender by the Town of Baring of its Organization" (S. P. 84) (L. D. 69) which was tabled by that gentleman earlier in today's session, pending acceptance of the Committee Report; and on further motion by the same gentleman, the "Ought to pass" Report of the Committee was accepted and the bill was given its two several readings and tomorrow assigned.

Mr. DWINAL: Mr. Speaker, if I am in order, I would like to move that the rules be suspended and the

bill be given its third reading at this time.

The SPEAKER: The gentleman from Camden, Mr. Dwinal, moves that the House reconsider its action whereby it assigned this bill for third reading tomorrow morning at ten o'clock. Is this the pleasure of the House?

The motion prevailed and the House so reconsidered.

The SPEAKER: The gentleman from Camden, Mr. Dwinal, now moves that the rules be suspended and the bill be given its third reading at this time. Is this the pleasure of the House?

Thereupon, the motion prevailed, and the bill was given its third reading and passed to be engrossed in concurrence.

On motion by Mr. Dwinal of Camden, the House voted to take from the table Report of the Committee on Towns reporting "Ought to pass" on Bill "An Act to Provide for the Surrender of Topsfield Plantation of its Organization" (S. P. 127) (L. D. 152) which was tabled by that gentleman earlier in today's session; and on further motion by the same gentleman the "Ought to pass" Report of the Committee was accepted, and the bill was given its two several readings. On further motion by Mr. Dwinal, under suspension of the rules, the bill had its third reading and was passed to be engrossed in concurrence.

On motion by Mr. Bubar of Westton, the House voted to take from the table the first tabled and unassigned matter. House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Requiring the Election of the Members of the Public Utilities Commission by the Legislature," (H. P. 100) (L. D. 55) tabled on January 30th by that gentleman, pending acceptance.

Mr. BUBAR: Mr. Speaker and Members of the House: A few days ago we had a hearing on this bill, the Committee very graciously listened to the arguments concerning it, and then we got their unanimous report "Ought not to pass." But, members of the House I have a few points I would like to bring to you at this time for consideration before we throw this bill out of the window, and I believe that you

may agree with me and the bill will not go out of the window.

This bill, Legislative Document 55, requires the election of the members of the Public Utilities Commission by the Legislature. At the present time they are appointed by the Governor with the consent of the Council. The argument is brought up that if the Legislature appoints this Commission it is going to put it too much in politics and that we should leave it with the Governor and Council where it is right now.

In answer to that, I will say that this Commission has always been in politics, and, even though the Legislature elected it, it could not be any more in politics.

Regarding the present appointments, I would say that I have heard commendable reports on the appointments made by our present Governor, but I would also say this: That Governor Sewall will not always be in office. While it may strike a discordant note in someone's ear, I have a few points I want to make clear to you.

I think that if the Utilities Commission was elected by the Legislature it would do away with a good deal of this public-be-hanged attitude that seems to exist over our State of Maine. At the present time I have every reason to believe, and I think you will agree with me, they are working for the interests in the State rather than for the interests of the people who are paying the bills. I think they full well realize which side of their bread the butter is on. Under existing conditions the people have very little recourse. Why? For the simple reason that when they register a complaint the Commission do not consider that as evidence at all; it is absolutely excluded, using their own expression.

I have here a petition, just for example, from the bulk of customers of a certain company serving electricity in the State of Maine. These people presented their petition before the Commission in October, 1940, and that petition was turned down; it was not recognized as evidence at all. The poor people of that town travelled approximately one hundred miles to that hearing, and they registered their complaint because they were dissatisfied, the service was bum; and, after nearly forty of those people had testified

to that fact, one of our honorable citizens representing the local concern got on the stand and testified that he had been in that village one evening and that the service was the very best. They took his word in preference to that of the forty citizens that live there three hundred and sixty-five days a year, and they excluded all their evidence.

You no doubt are familiar with conditions that exist in Aroostook County up in the Patten section, also down in the Kingman section and over in the western part of the State in the Sandy River district. Instead of trying to help the poor people in those districts, they are denying them the privilege of a free enterprise where they are surrounded with electricity which they should have and which their city relatives enjoy. At the present time they are unable to enjoy that privilege.

To give you another example: Up in my town we tried to get electricity from the Kingman Electric Company. We were refused the privilege of joining that company and receiving their current. Then, as an alternative, we went to the Patten Electric Company and we asked those people to come down and serve us. They agreed it would be fine and would help their company to expand. They came down and signed up customers in my town and neighboring towns. But there was a small bottle-neck they had to pass to get by the Houlton Electric, and they were coming down through the town of Linneus. The Utilities Commission I think must have permitted it or the company would never have taken the step they did. For years the people in the town of Linneus had been trying hard to get electricity. The Houlton Electric Company stated they could not afford to build that line. But let me tell you what they did. This fall, to stop the people there from forming a cooperative and furnishing themselves with electricity, they built a stretch of two miles of line with only one paying customer on that line. Well, that was perfectly legal and perfectly all right.

I will refer again to this petition that I have in my hand expressing dissatisfaction and discontent with the service in my own locality. I also hold in my hand the decree rendered by the Commission, refusing the people the right to

serve themselves with good electricity. I discriminate between good and bad electricity because in my locality we are served with 220 volts direct current and it is a mighty poor excuse for electricity. Three times in the last three years my brother and I have offered to set poles and string wires over a stretch of a mile to serve our own home and the homes of three of our neighbors with electricity. The company has refused to hook onto our line because they have not got the power, and still we are refused the privilege of having some other company come in there and refused the privilege of forming our own company to serve ourselves with electricity.

Under our present set-up, when a utility company comes in to serve a community they have a charter which gives them the right of eminent domain and no one can come in in opposition to them. They have free rights and no competition and they can serve when and as they wish.

I may state here that in the town of Danforth I have a small printing business. I will admit it does not amount to much but it brings me in a small income. At the same time, in all the other cities of our community, there are printers that do good jobs, some as good and some better than I can. But there is no Commission here in Augusta that comes up and says to these other fellows: "You quit doing business in Danforth; let Bubar have that territory all to himself." No sir, I have plenty of competition.

Here is one concern that is going to have full swing here. I do not believe that is conducive to our democratic system of government; I do not believe that is conducive to free enterprise at all. Still on that same line, they will say: "These folks cannot form a cooperative, they cannot serve themselves."

We ask the privilege of going to the government to hire our money because the banks require too high a rate of interest. The government was not interfering in our project at all.

Now getting back to the reason why this Legislature should appoint this Commission: Gradually this Legislature has clipped its own wings; gradually this Legislature has forfeited its own power until today we are just a rubber stamp to the wants and wishes of the

several departments. When you come down to the question of appointing each and every department, I say, "Why not appoint the Legislature?" It is all along the same line of reasoning.

Of course the argument is brought up: "Let us centralize for efficiency". That is just what Hitler and Mussolini are doing; they are centralizing for efficiency. They have the slickest working government machines in the world today. I believe you can carry the thing to extremes. The people over in Germany, the people over in Italy were not forced into the predicament in which they find themselves today, they voted it upon themselves. Hitler and Mussolini did not come in in the beginning and take over by force of arms; the people voted them in, and, when they got enough power, they took over the reins of government. If we continue to centralize our power in this country, beginning with our town government, our local State government and finally the national government, we will find ourselves in the very same condition in which those European countries find themselves.

Of course we can carry this thing to extremes by electing the different commissions and different department heads just the same as we could go to extremes by having them all appointed by one central head. When they raise the question again of "Don't let the Legislature touch this Commission because you will be putting it under politics," I want to remind you again that I believe, and I believe you will agree with me, that this Commission is, and has been since its inception, in politics, for the protection of the few rather than all the people of the State of Maine. Members, I wish you all would consider this thing well.

Mr. Speaker, I move that we substitute the Bill for the Report.

The SPEAKER: The gentleman from Weston, Mr. Bubar, moves that the Bill be substituted for the "Ought not to pass" report of the Committee. The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, on behalf of the Judiciary Committee, I feel that I ought to say a word or two as to why we felt it was necessary to make this "Ought not to pass" Report.

The same arguments that have been adduced before you this morning were presented to your committee. We considered them very carefully. There was no evidence presented before the Committee that there was any politics actually taking place by the Public Utilities Commission today other than the assertion of the gentleman who has just spoken. I think we are all well aware of what might happen and the kind of Commission we would get if they were required to go around the State of Maine and campaign for their office and visit each one of the legislators in order to try to get their vote for this important position.

I want to remind the members that this is not a position that is easily filled, neither is it a job that anybody can do. We feel that the leaving of this to the Governor without any strings enables him to select a much better man for this sort of work than the man that could be elected by us or any man who would condescend to go out and campaign for the office and put in the time that is necessary in order to get himself elected.

Before your Committee no evidence of dissatisfaction, other than what you have heard asserted here this morning, was adduced. In the whole State of Maine, apparently, the Commission has been working successfully. Now I submit that if there are any arguments concerning the failure of the Commission to act upon this particular petition in the manner in which the petitioners desired, that proves that your Public Utilities Commission is working satisfactorily, that it is doing the job with which it was charged, and that we have reason to be glad that we have a Commission who are not subject to fluctuations according to what seems to be the popular demand of the moment.

It has been the policy of this State and still is that all of these public and quasi-public utilities should have more or less of a monopoly subject to control by the Public Utilities Commission. Now it may be that is a wrong idea. Maybe we should do away with all our public utility law and allow anybody to compete. I am not arguing that.

The only question before us is whether this Commission as now constituted is as good a Commis-

sion as we could get or better than if it was elected by the legislators. I remind my fellow legislators that we also are elected by the same people that elected our Governor. Those people that elected the Governor had as much confidence in him, I can assure you, as they have in us. Now why should we assume that we more fully represent their desires than the Governor would?

The gentleman has argued that if the Utilities Commission were elected by the legislators they would be more responsive to the people. He has given you one isolated instance where he or his friends seem to be personally aggrieved by the action of the Commission. Are we prepared at this time to make such a radical change in the appointing of the Commission on one solitary complaint from one locality without knowing anything about the kind of evidence that was presented before the Commission on the other side? The Commission are not here to defend themselves.

I assure you, Members, that your Judiciary Committee gave this matter very careful consideration and we felt this bill ought not to pass, and I trust that the gentleman's motion will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Weston, Mr. Bubar, that the bill be substituted for the "Ought not to pass" Report of the Committee. Is the House ready for the question?

As many as are in favor of substituting the bill for the "Ought not to pass" Report will say aye; those opposed no.

A viva voce vote being taken, the motion to substitute the bill for the "Ought not to pass" Report of the Committee did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

At this time the Chair will announce the appointment of members to committees on which vacancies have been caused by death and resignation.

To the Committee on State Lands and Forest Preservation: The gentleman from Gray, Mr. Doughty.

To the Committee on Manufactures: The gentleman from Montville, Mr. Davis.

To the Committee on Banks and Banking: The gentleman from Bridgton, Mr. Rankin.

To the Committee on Maine Publicity: The gentleman from Greenville, Mr. Rollins.

To the Committee on Military

Affairs: The gentleman from Presque Isle, Mr. Brewer.

If there are no further matters to come before the House under Orders of the Day, the Clerk will read the notices.

On motion by Mr. Pearson of North Kennebunkport.

Adjourned until ten o'clock tomorrow morning.