

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Ninety-second Legislature



Special Session

July 8, 1946

HOUSE

Wednesday, July 10, 1946.

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

Prayer by the Rev. Mr. Reidel of Augusta.

Journal of the previous session read and approved.

The SPEAKER: The Chair notes the presence in the Hall of the House of the gentleman from Berwick, Mr. Stillings, and requests the Clerk to change the record accordingly.

Papers from the Senate

From the Senate: Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Health and Welfare Due to Insufficient Appropriations" (S. P. 460) (L. D. 1191)

Came from the Senate, referred to the Committees on Appropriations and Financial Affairs and Welfare jointly.

In the House, referred to the Committees on Appropriations and Financial Affairs and Welfare jointly in concurrence.

From the Senate: Bill "An Act to Correct Errors and Inconsistencies in the 1944 Revision and the Session Laws of 1945" (S. P. 465) (L. D. 1216)

Bill "An Act Waiving Certain Requirements for Veterans in State Employment" (S. P. 466) (L. D. 1215)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate: Bill "An Act to Provide for the Payment of a Cash Bonus of \$500 to Maine Veterans in World War II" (S. P. 455) (L. D. 1193)

Bill "An Act Authorizing Maine Development Commission to Promote New Industries" (S. P. 457) (L. D. 1192)

Bill "An Act to Provide for a Sliding Scale Bonus to Maine Vet-

erans of World War II and to Provide for the Payment thereof by Running Horse Races" (S. P. 468) (L. D. 1213)

Resolve in favor of Ricker Classical Institute and Junior College (S. P. 467) (L. D. 1212)

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus of \$500 to Maine Veterans in World War II (S. P. 456) (L. D. 1194)

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Sliding-Scale Bonus to Maine Members of the Military and Naval Forces in World War II (S. P. 469) (L. D. 1211)

Came from the Senate, referred to the Committees on Military Affairs and Appropriations and Financial affairs, jointly.

In the House, referred to the Committees on Military Affairs and Appropriations and Financial Affairs, jointly, in concurrence.

From the Senate: Bill "An Act relating to the Packing of Sardines" (S. P. 470) (L. D. 1214)

Came from the Senate, received by unanimous consent and referred to the Committee on Sea and Shore Fisheries.

In the House, received by unanimous consent and referred to the Committee on Sea and Shore Fisheries in concurrence.

Bills and Resolves Requiring Reference

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

Bill "An Act relating to Control of Rentals" (H. P. 1504) (Presented by Mr. Allen of Portland)

Bill "An Act relating to Rent Control" (H. P. 1505) (Presented by Mr. Donahue of Biddeford)

Bill "An Act relating to Price Control" (H. P. 1506) (Presented by Mr. Nadeau of Biddeford)

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Jordan.

Mr. JORDAN: Mr. Speaker, may I inquire if Bill "An Act relating to Price Control" (H. P. 1506, comes within the purview of the Governor's Message?

The SPEAKER: The Chair rules on that, and, in so ruling, the Chair will quote the Governor's Message, and also part of the bill.

The Governor, in his message, said: "I believe that we should consider the question of rent control at this session because of the critical emergency which has arisen."

The bill, in Section 1, reads as follows: "All persons, partnerships, associations, and corporations doing business as wholesalers, jobbers or retailers are hereby prohibited from demanding or receiving for commodities and services in excess of that paid, charged or fixed therefor by the Office of Price Administration on June 30, 1946."

Under the broad term "and services" the Chair rules that this bill comes within the purview of the Governor's Message.

Thereupon, H. P. 1504, H. P. 1505 and H. P. 1506, were referred to the Committee on Judiciary, 1500 copies of each ordered printed and were sent up for concurrence.

Military Affairs and Appropriations and Financial Affairs Jointly

Bill "An Act Establishing a State Technical and Vocational Institute" (H. P. 1507) (Presented by Mr. Ela of Anson)

(1500 copies ordered printed)

Bill "An Act to Provide for the Payment of a Bonus of \$100 and \$200 for Maine Veterans of World War II" (H. P. 1508) (Presented by Mr. Poulin of Rumford)

(1500 copies ordered printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Resolve to Create an Educational Surplus Property Pool (H. P. 1509) (Presented by Mr. Ela of Anson)
Sent up for concurrence.

Military Affairs and Appropriations and Financial Affairs Jointly

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus of \$100 and \$200 to Maine Members of the Military and Naval Forces in World War II (H. P. 1510) (Presented by Mr. Poulin of Rumford)

(1500 copies ordered printed)

Sent up for concurrence.

On motion by Mr. Ward of Millinocket, the Bills and Resolves requiring reference were ordered sent forthwith to the Senate.

Orders

On motion by Mrs. Elizabeth Deering Moffatt, it was

ORDERED, that Robert Cleaves, 3rd, be Acting Page in the House during the present Special Session.

Mr. Marsans of Monmouth, presented the following Order and moved its passage:

WHEREAS, the Clerk of the House has been authorized to purchase, before the convening of the next regular session of the Legislature, suitable chairs for the members of the House;

AND WHEREAS, the present chairs are highly prized and hold tender memories for their present occupants;

THEREFORE BE IT ORDERED, that the present chairs become the property of their present occupants, to be removed at the owner's expense, upon arrival of the new chairs.

The Order received passage.

On motion by Mr. Lacharite of Brunswick, it was

ORDERED, that Mr. Ouellette of Lewiston, be excused from attendance today because of business.

On motion by Mr. Ward of Millinocket, it was

ORDERED, that the Secretary of State be directed to furnish to the office of the Clerk of the House three copies of the 1945 Session Laws.

Orders of the Day

Mr. Peirce of Augusta, was granted unanimous consent to address the House.

Mr. PEIRCE: Mr. Speaker and Members of the House: I am asking your unanimous consent to introduce a bill for your consideration which, if enacted, would bring a new industry to our state in the immediate future. This bill is timely and appropriate, I believe, because this new industry would at once commence to employ two hundred workers, the majority of whom would be Maine veterans.

In addition to the veterans' employment angle, this company would benefit the State by making an initial property investment of around \$150,000. No tax exemption is requested.

The business in which the company will deal is the final processing and bottling of domestic wines.

Our present liquor statute provides for the licensing of manufacturers of hard liquor, wine, and beer situated in this State. However, it is not clear that the word "manufacture" can legally be interpreted to cover the final processing and bottling which this new industry performs. The proposition can be argued both ways. Therefore, I consider this bill as being more a clarification of the present law than as an amendment to it. In view of the fact that other companies are permitted to produce completely in this State hard liquors, wines and beers, there would appear to be no reason why this Legislature should prohibit the partial processing of wines.

In order to bring a new industry to our State, to aid veterans' employment, to create a new source of tax revenue, and to clarify the existing liquor law, I am respectfully asking your unanimous consent to consider this bill.

The SPEAKER: The gentleman from Augusta, Mr. Peirce, asks unanimous consent to introduce a bill out of order. The Clerk will read the title.

(CLERK reading) Bill "An Act relating to Manufacturing and Bottling of Wine".

The SPEAKER: Does the Chair hear objection to the introduction of this bill?

Mr. PRATT of Windham: Mr. Speaker, I object.

The SPEAKER: The bill will not be received.

The following paper from the Senate was taken up out of order under suspension of the rules:

Bill "An Act Enlarging the Powers of the West Paris Village Corporation" (S. P. 471)

Came from the Senate received by unanimous consent, and referred to the Committee on Legal Affairs.

In the House:

The SPEAKER: This bill is one which must receive unanimous consent for introduction in this House or be automatically referred to the next Legislature. Does the Chair hear objection to the introduction of this bill? The Chair hears no objection.

Thereupon, the bill was received and was referred to the Committee on Legal Affairs in concurrence.

On motion by Mr. Ward of Millinocket.

The House recessed until one o'clock Eastern Standard Time.

After Recess—1:00 p.m. (E.S.T.)

The House was called to order by the Speaker.

The following papers from the Senate were taken up out of order under suspension of the rules:

From the Senate: Bill "An Act to Provide for the Payment of a Cash Bonus to Maine Veterans in World War II Based on Length of Service" (S. P. 473).

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus to Maine Veterans of World War II Based on Length of Service (S. P. 474).

Came from the Senate referred to the Committees on Military Affairs and Appropriations and Financial Affairs jointly.

In the House, referred to the Committees on Military Affairs and Appropriations and Financial Affairs jointly in concurrence.

From the Senate: Bill "An Act to Incorporate the Town of Hampden School District" (S. P. 458).

Came from the Senate received by unanimous consent and referred to the Committee on Legal Affairs.

In the House, received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

From the Senate: Resolve in favor of the town of Charleston (S. P. 472.)

Came from the Senate received by unanimous consent and referred to the Committee on Ways and Bridges.

In the House:

Mr. Elliott of Corinth, was granted unanimous consent to address the House.

Mr. ELLIOTT: Mr. Speaker, this resolve has to do with money appropriated on a special resolve introduced by Senator Howes for a certain piece of road in Charleston. It is available for expenditure this year, but the road was repaired

last year under State-aid highway funds. The Highway Department would like this transfer made. It calls for no additional funds. It simply makes it so that it can be done this year on a different road. As this is my district, I would like to see it go through.

The SPEAKER: The question is on unanimous consent for introduction of this resolve in concurrence. Is there objection?

The Chair hears none.

Thereupon, the resolve was received by unanimous consent, and referred to the Committee on Ways and Bridges in concurrence.

The following Bills and Resolves were taken up out of order, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Military Affairs and Appropriations and Financial Affairs Jointly

Bill "An Act to Provide for the Payment of a Cash Bonus or Bonus Certificate to Maine Veterans in World War II" (H. P. 1511) (Presented by Mr. Gay of Damariscotta)

(1500 copies ordered printed)

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Payment of a Bonus to or Insurance Premiums for Maine Members of the Military and Naval Forces in World War II and for the Payment of Other Veterans' Benefits and to Provide for the Payment of Such Bonds by a Sales Tax or an Income Tax (H. P. 1512) (Presented by Mr. Ela of Anson).

(1500 copies ordered printed)

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus or Bonus Certificate to Maine Veterans in World War II (H. P. 1513) (Presented by Mr. Gay of Damariscotta)

(1500 copies ordered printed)

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus of \$200 to Maine Veterans in World War II (H. P. 1514) (Presented by Mr. Jalbert of Lewiston)

(1500 copies ordered printed)

Bill "An Act to Provide for the Payment of a Cash Bonus of \$200 to Maine Veterans in World War II and Providing for the Raising of Revenue Therefor" (H. P. 1515) (Presented by same gentleman)

(1500 copies ordered printed)

Bill "An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax or an Income Tax" (H. P. 1516) (Presented by Mr. Williams of Clifton)

(1500 copies ordered printed)

Bill "An Act Providing for Additional Cigarette and Liquor Taxes" (H. P. 1517) (Presented by Mr. Poulin of Rumford)

(1500 copies ordered printed)

Bill "An Act Creating a State Lottery Commission" (H. P. 1518) (Presented by Mr. Grenier of Lewiston)

(1500 copies ordered printed)

Bill "An Act relating to Running Horse Races" (H. P. 1519) (Presented by Mr. Martin of Eagle Lake)

(1500 copies ordered printed)

Sent up for concurrence.

Resolve in favor of Hugh J. Andrews, of Waterville (H. P. 1520) (Presented by Mr. Jones of Waterville)

The SPEAKER: This is a resolve which does not come within the purview of the cloture order, and therefore requires unanimous consent for its introduction.

Mr. Carpenter of Augusta, was granted unanimous consent to address the House.

Mr. CARPENTER: Mr. Speaker, this resolve is a resolve in favor of Mr. Andrews of Waterville, who was falsely arrested. All he asks is that he may go before the committee and present his claim. The reason he does not want to wait until the regular session is that he has gone to considerable expense in his defense. He is a poor man, and he is suffering hardship because he really needs this money back if he is going to get it.

The SPEAKER: The question is on unanimous consent to receive this resolve. Is there objection? The Chair hears none.

Thereupon, the resolve was received by unanimous consent, referred to the Committee on Claims, ordered printed, and sent up for concurrence.

Judiciary

Bill "An Act relating to Reinstatement of Dismissed State Employees"

(H. P. 1521) (Presented by Mr. Bell of Thomaston)

Was received by unanimous consent, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Town of West Gardiner School District" (H. P. 1522) (Presented by Mr. Cole of West Gardiner)

Bill "An Act to Incorporate the Pittsfield School District" (H. P. 1523) (Presented by Mr. Vickery of Pittsfield)

Bill "An Act to Incorporate the Canaan School District" (H. P. 1524) (Presented by same gentleman)

Were received by unanimous consent, ordered printed, referred to the Committee on Legal Affairs and sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Palermo (H. P. 1525) (Presented by Mr. Ames of Northport)

Resolve in favor of the town of Greenville (H. P. 1526) (Presented by Mr. Rollins of Greenville)

Were received by unanimous consent, referred to the Committee on Ways and Bridges and sent up for concurrence.

On motion by Mr. Ward of Millinocket, the Bills and Resolves just acted on were ordered sent forthwith to the Senate.

The SPEAKER: The Chair will state that it is necessary that the House stay in session at least until we learn whether the matters we have acted upon have been concurred in by the other branch. The House may be at ease.

House at Ease

2:00 P. M. (E.S.T.)

The House was called to order by the Speaker.

The following paper from the Senate was taken up out of order under suspension of the rules:

From the Senate:

The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, July 16, 1946, at 9 o'clock in the morning—Eastern Standard Time (S. P. 475)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

The SPEAKER: The Chair will remind the members of the House, because it was called to the attention of the Chair, that nine o'clock standard time is ten o'clock by the time this State is now running under.

The Chair recognizes the gentleman from Bath, Mrs. Moffatt.

Mrs. MOFFATT: Mr. Speaker, for the record, I would like to have my name recorded as Elizabeth Deering Moffatt.

The SPEAKER: The Clerk will so record it.

On motion by Mr. Southard of Bangor,

The House adjourned until Tuesday, July 16th, at 9:00 A. M. Eastern Standard Time.