

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Ninety-second Legislature



Special Session

July 8, 1946

SENATE

Wednesday, July 10, 1946.

The Senate was called to order by the President.

Prayer by the Reverend Charles A. Clough of Augusta.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

From the House:

Bill "An Act Increasing the Borrowing Capacity of the Town of Norridgewock School District." (H. P. 1498) (L. D. 1201)

Which bill was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

From the House:

Bill "An Act to Incorporate the North Haven Port District." (H. P. 1496) (L. D. 1203)

Mr. SMITH of Knox: Mr. President and members of the Senate, I would like to explain a little something about this bill. North Haven is an island twelve miles from the mainland and it does not have suitable or safe transportation for its inhabitants. This bill would allow North Haven to purchase the proper boat for this purpose. Last winter the small boat in operation was partly sunk when hit by heavy seas, and went adrift for seven hours, finally being smashed up on a reef. Four people were rescued by a miracle and there was no loss of life. This really is an emergency measure and I hope there will be no objection to receiving it.

There being no objection, the bill was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

From the House:

Bill "An Act Amending the Charter of the City of Portland." (H. P. 1496) (L. D. 1203)

Mr. LEAVITT of Cumberland: Mr. President and members of the Senate, I just want to say a couple of things about this bill. Last year when the Portland City Charter was introduced apparently some

people thought it would not pass and they didn't check over the bill with sufficient care to find certain errors that had crept into it.

If this bill is not allowed to pass we will not be able to elect the three members of the city council provided for in another section of the bill, in November. Therefore it is an emergency. There is no controversy whatever in the legislature here among our delegation and there also is no controversy in Portland about this measure. It is desired by everyone.

There being no objection, the bill was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

From the House:

Bill "An Act to Incorporate the Brewer Water District." (H. P. 1497) (L. D. 1204)

Bill "An Act to Incorporate the Sullivan Water District." (H. P. 1503) (L. D. 1207)

Which were severally received by unanimous consent and referred to the Committee on Public Utilities in concurrence.

Miss CLOUGH of Penobscot: Mr. President and members of the Senate, may I have unanimous consent to introduce a bill, "An Act to Incorporate the Town of Hampden School District"?

The PRESIDENT: The Senator from Penobscot, Senator Clough, presents bill, "An Act to Incorporate the Town of Hampden School District" and asks unanimous consent for its admission. Is there objection?

Mr. CURRIER of Androscoggin: Mr. President, I object.

Unanimous consent not being granted, the bill was not received.

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

Mr. DOW: Mr. President and members of the Senate, I realize that the legislature has met here to consider matters called for in the message of the Governor and I understand that no one wants to stay here any longer than necessary and that we want to confine ourselves

to those matters that were in the Governor's message and to such other matters as are properly emergencies.

I want to tell you the story about this bill, and I will leave it to you whether or not you think it is an emergency and whether or not you think it should receive favorable consideration from this Body at this time.

West Paris Village is a part of the town of Paris. I do not live in the town but it is an adjacent town, a neighboring town, and it has three settlements in it, four if you want to call the small ones settlements, North Paris, Paris Hill, Paris Village and West Paris. West Paris has a small population of about a thousand possibly and has not proper sewerage or water supply and they would like to start to get them going which is the reason for this bill being in here at this time. If it receives favorable consideration, it will give them about a year's start rather than waiting for the next regular session and will allow them to improve the health conditions and build a community that is healthier and better. That is the reason for the introduction of this bill and I will leave it to you whether or not it shall be received.

As far as there being any controversy at this time, I think I can guarantee that if any controversy arises I can control it so it won't delay the adjournment of this session as much as five minutes.

The PRESIDENT: The question before the Senate is, shall this bill be received by unanimous consent. Is there objection to the reception of this bill at this time?

There being no objection, the bill was received by unanimous consent and referred to the Committee on Legal Affairs.

Sent down for concurrence and ordered printed.

Additional papers from the House referred in concurrence.

Mr. Howes of Penobscot presented, "Resolve in Favor of the Town of Charleston." (S. P. 472) out of order and under suspension of the rules.

Mr. HOWES: Mr. President and members of the Senate, this resolve is for the Town of Charleston to

tar a piece of road. Our council took care of the road and had it tarred until there was no more road there to be tarred and this reallocation of money is to go to two different farmers of the town, one who has five farms and the other one four. They are two of the biggest farmers we have got. A year ago last winter the road was ploughed and it was in terrible condition for nine weeks. I won't be back next time and I would appreciate it if you would accept this bill.

The PRESIDENT: Is it the pleasure of the Senate to receive this Resolve by unanimous consent at this time? Is there objection?

There being no objection, the resolve was received by unanimous consent and referred to the Committee on Ways and Bridges.

Sent down for concurrence and ordered printed.

Mr. SMITH of Knox presented 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)

The same Senator presented "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)

Which were severally referred to the Committees on Military Affairs and Appropriations and Financial Affairs jointly, and 1500 copies of each ordered printed.

Sent down for concurrence.

Miss CLOUGH of Penobscot: Mr. President and Members of the Senate, I present a bill and by reason of its emergency nature and for purposes previously stated, I request unanimous consent to the admission of this bill at this time.

The PRESIDENT: The Senator from Penobscot, Senator Clough, presents bill, "An Act to Incorporate the Town of Hampden School District," and asks unanimous consent for the introduction of this bill at this time. Is there objection to the introduction of this bill?

There being no objection, the bill was received by unanimous consent and was referred to the Committee on Legal Affairs.

Sent down for concurrence and ordered printed.

On motion by Mr. Brown of Aroostook

Recessed until this afternoon at one o'clock Eastern Standard Time.

After Recess

The Senate was called to order by the President.

On motion by Mr. Brown of Aroostook, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, July 16th, 1946, at 9:00 o'clock in the forenoon, Eastern Standard Time. (S. P. 475)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

From the House, out of order and under suspension of the rules:—

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)

Mr. CROSS of Kennebec: Mr. President and members of the Senate, I don't wish to take exception to the recommendation of the Committee on Reference of Bills, but it does seem odd to me as a member of the Taxation Committee that so many tax measures should be handled by some other committee than Taxation. I have talked the matter over with several others and it still seems to me that these major tax bills which are being presented should be referred to the Committees on Military Affairs and Taxation jointly, rather than to Military Affairs and Appropriations.

I don't want any one to think that I want to sit and listen to these bills being read or to thrash them out, but it does seem to me that if we have a Taxation Committee they should enter into the picture with reference to these bills. I don't want to hurt the feelings of my colleagues on the Committee on Appropriations and Financial Affairs but I think that on these several bills here it would be much better if they were referred to Military Affairs and Taxation jointly,

and, Mr. President, I make that as a motion.

The PRESIDENT: The Chair will state for the benefit of the record and to call to the attention of the Senator, that these particular bills were referred to the joint committee not by the Committee on Reference of Bills, but by action of the House. Will the Senator kindly specify which bills he wishes to make his motion on, one at a time? The Chair will state that the question now before the Senate is on the reference of 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), which was referred by the House to the joint committees on Appropriations and Financial Affairs, and Military Affairs.

Mr. CROSS: Mr. President, I move that this bill be referred to the Committees on Military Affairs, and Appropriations and Financial Affairs jointly, in concurrence.

The motion prevailed.

From the House:

"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)

The PRESIDENT: The question before the Senate is on the reference of this Resolve which comes from the House, in that Body referred to the joint committee on Military Affairs, and Appropriations and Financial Affairs.

Mr. CROSS: Mr. President, I move that this Resolve be referred to the joint committees on Military Affairs, and Taxation in non-concurrence.

Mr. CURRIER of Androscoggin: Mr. President, I rise to a point of order.

The PRESIDENT: The Senator may state his point.

Mr. CURRIER: Mr. President, may the Senate have a reading of this Resolve? In other words, we know it only by title. May I request a reading?

The PRESIDENT: The Senator may request that the Resolve be read.

Mr. CURRIER: Mr. President, I request that the Resolve be read.

The Secretary read the Resolve.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that this Resolve be referred to the joint committees on Military Affairs, and Taxation in non-concurrence.

Mr. NOYES of Hancock: Mr. President, it is rather embarrassing having the chairman of the Committee on Taxation in disagreement with me but my whole viewpoint, expressed very briefly, is this: I believe we are here to do a job and try to do a good job and do it as speedily as possible, and I believe the Committee on Taxation would be competent to handle the taxation bills. However, I don't know of any member or members of the Committee on Taxation who are tax experts. I can readily see that the members of the Appropriations and Financial Affairs Committee are as well qualified to pass on tax measures as are the Taxation Committee; and whereas that joint committee is considering all this veterans' legislation, so-called, and whereas the House of Representatives has seen fit to refer this bill to that joint committee, if we refer it to another committee in non-concurrence, it means it must go back to the House of Representatives and in the event they should see fit to insist on their former action and call for a committee of conference, we will be here for the afternoon over a matter of reference of a bill which is comparatively unimportant. I hope the Senator's motion does not prevail.

Mr. CROSS: Mr. President and members of the Senate; I scarcely thought this move would bring out quite so much remonstrance from my colleague on my right. I have had no discussion with other members of the Committee on Taxation on it. This bill appeared in the House and it seemed to me it was going to the wrong committee, and I still think so. After all, the Taxation Committee, members of it, have been members for years and many bills have come before them in the past few years and have been discussed thoroughly. I know, myself, I have very strong feelings on these tax measures which are before us, and I feel the Committee on Taxation is the one to handle them. I

feel they are the ones to have the opportunity to judge the qualifications of these various tax measures and pass upon them and recommend them one way or the other to the Legislature. As it is, if bills are referred to other committees the only recourse the members of the Committee on Taxation may have is on the floor of the House or Senate. I do not think it is giving them the chance they should have to examine the bills. However, it is immaterial to me personally, and it will save a lot of time if you vote against me. I will leave it to your good judgment.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Cross, that this bill be referred to the Committee on Military Affairs and Taxation jointly, in non-concurrence. Is this the pleasure of the Senate?

A viva voce vote being had

The motion did not prevail.

Thereupon, the bill was referred to the joint Committee on Military Affairs and Appropriations and Financial Affairs in concurrence.

Additional papers from the House referred in concurrence.

From the House:

"Resolve in Favor of Hugh J. Andrews, of Waterville." (H. P. 1520)

The PRESIDENT: By the terms of the joint order passed earlier in the session, this Resolve requires for its admission at this time, the unanimous consent of the members of the Senate. Is there objection?

Mr. BROWN of Aroostook: Mr. President, I object.

The PRESIDENT: The Chair hears objection and the Resolve stands referred to the 93rd Legislature.

From the House:

Bill "An Act Relating to Reinstatement of Dismissed State Employees." (H. P. 1521)

The PRESIDENT: By the terms of the joint order passed earlier in the session, this Bill requires for its admission at this time, the unanimous consent of the members of the Senate. Is there objection?

Mr. BOUCHER of Androscoggin:
Mr. President, I object.

The PRESIDENT: The Chair hears objection and the Resolve stands referred to the 93rd Legislature.

From the House:

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

Mr. CROSS of Kennebec: Mr. President, this bill, I can assure you gentlemen, will not hold up the proceedings of the legislature in the slightest, and I understand, as it happens to be a town next to mine, it is a very important matter for them. As you have heard in regard to several other bills which have been presented, they have several school buildings in very bad condition and they were unable to repair them in the period of the War years. They wish to form a school district and consolidate the school buildings in new and better quarters. I think it would really come under the light of an emergency. If you see fit to let it go through I think it will be appreciated by the taxpayers of the town.

The PRESIDENT: The question before the Senate is, shall this bill be received by unanimous consent. Is there objection to the reception of this bill?

There being no objection, the bill was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

From the House:

Bill "An Act to Incorporate the Pittsfield School District." (H. P. 1523)

The PRESIDENT: The question before the Senate is, shall this bill be received by unanimous consent. Is there objection to the reception of this bill?

There being no objection, the bill

was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

From the House:

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

The PRESIDENT: The question before the Senate is, shall this bill be received by unanimous consent. Is there objection to the reception of this bill?

There being no objection, the bill was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

From the House:

"Resolve in Favor of the Town of Palermo." (H. P. 1525)

The PRESIDENT: The question before the Senate is, shall this resolve be received by unanimous consent. Is there objection to the reception of this resolve?

Mr. CURRIER of Androscoggin:
Mr. President, I object.

The PRESIDENT: The Chair hears objection and the Resolve stands referred to the 93rd Legislature.

"Resolve in Favor of the Town of Greenville." (H. P. 1526)

The PRESIDENT: The question before the Senate is, shall this resolve be received by unanimous consent. Is there objection to the reception of this resolve?

Mr. BOUCHEP of Androscoggin:
Mr. President, I object.

The PRESIDENT: The Chair hears objection and the Resolve stands referred to the 93rd Legislature.

On motion by Mr. Dow of Oxford,
Adjourned until Tuesday, July 16,
at nine o'clock in the forenoon,
Eastern Standard Time.