

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
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1941

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MESSAGES

From Governor Sewall
to the 90th Legislature

**MESSAGE OF GOVERNOR SEWALL TO JOINT CONVENTION
OF LEGISLATURE**

January 23, 1941.

Mr. President and Members of the 90th Legislature:

I am submitting to you herewith the financial plan for the conduct of State business during the next two fiscal years.

During the fiscal year of 1939-1940 our state government cost \$39,741,428.29.

Of this total amount \$12,841,715.23 was provided from the following sources:

The original appropriation act	\$11,336,184.87
Subsequent supplemental appropriations to meet overdrafts	705,530.36
Direct payments from cities and towns to Old Age Assistance account	800,000.00
Total	<u>12,841,715.23</u>

The balance of \$26,899,713.06 represents the expenditure of ear-marked funds of both state and federal origin which do not require specific appropriation.

For the present fiscal year ending June 30th, 1941, our estimate of total cost is \$39,568,895.18.

Of this total amount it is estimated that \$12,633,424.23 will be provided from the following sources:

The original appropriation act	\$11,399,710.89
Subsequent supplemental appropriation	10,200.00
Estimated overdraft for which supplemental ap- propriation must be made	423,513.34
Direct payments from cities and towns to Old Age Assistance account	800,000.00
	<u>\$12,633,424.23</u>

These figures, reflecting our solution of past years, clearly suggest our problem for the coming two fiscal years.

We cannot continue to pay current operating costs from the sinking fund reserve.

We cannot continue to finance our expenditures by overdrafts.

Our present law providing payments from cities and towns for Old Age Assistance expires June 30th, 1941.

We must pay current operating costs with current revenues.

Fiscal Years 1941-42 and 1942-43

The recommended appropriation for the fiscal year 1941-42 is \$12,537,961.58, and for 1942-43 it is \$12,627,280.58.

These recommended appropriations represent estimated reasonable amounts necessary to maintain the present level of state governmental services during the next two years without overdrafts or direct payments from cities and towns for Old Age Assistance, and without allowance for excess unexpended balances.

Amounts Saved

These figures, therefore, calculated without miscellaneous resolves, contemplate the operation of the state business during the next two fiscal years for approximately \$200,000.00 less than it cost to operate the same business during the preceding two-year period.

It is estimated that revenues crediting into general funds and available for appropriation in the fiscal year of 1941-1942 will be \$11,618,651.00. For the fiscal year of 1942-1943 this figure will be the same.

Amounts Needed

Assuming, therefore, that we want to face the problem squarely at the outset, I must call to your attention that there is a gap of \$919,310.58 between recommended appropriations and estimated revenues for the fiscal year 1941-42 and of \$1,008,629.58 for 1942-43.

These amounts must be saved if we are to operate without further deficits or raised if we are to maintain our present level of governmental service.

It is my duty, moreover, to call to your attention that we are not now fully providing the services which are called for by law. If we are to meet the needs of our eligible citizens who have already applied for assistance under our present laws, it is estimated that at least \$1,800,000.00 new revenues will be required for the fiscal year 1941-42 and \$1,900,000.00 for the 1942-43 fiscal year.

These amounts, in addition to our present revenues, would provide old age assistance for 17,820 of our citizens, and make adequate provision for fulfilling the law relating to aid to state dependents, aid for the blind, aid to dependent children, hospital aid, world war relief, support to dependent

soldiers and sailors, and other human needs, including some measure of adjustment in our educational system.

Re-Examination Is Vital

You will recall that in my inaugural message to you, I urged the importance of a re-examination of the structure which we have built during recent years to meet the emergencies created by the economic and human needs of our people.

It is increasingly apparent from a study of these budget figures that such re-examination cannot safely be further postponed. In this time of expanding employment, our laws and regulations should allow for proportionate lightening of our burden of relief. Yet these figures suggest a need for substantial increases.

It is the duty of all of us who appropriate and administer these vast sums to be fully aware of the laws, procedures, and regulations which govern these expenditures. We must satisfy ourselves that our true objectives are being attained and that our more fortunate citizens are not being required to bear an unnecessary burden for those who are less fortunate. When we are satisfied that we have established a just and efficient structure for meeting this human problem, I am convinced that our people will rise to their obligation and willingly carry the load.

Unpredicted Expenditures

In the course of this session there will undoubtedly be presented for your consideration many acts and resolves calling for additional expenditures. Since this legislation cannot be predicted in drafting the budget, I would ask that any such measures which you may find worthy of enactment, be accompanied by provision of funds necessary to make them effective. Among these may well be measures for our contribution to the national defense, which are as yet wholly unpredictable but starkly real.

The document which I now lay before you represents the faithful and tireless efforts of your Budget Officer and his legislative advisors. It is clear, it is comprehensive, and it is a strikingly new approach to the task of presenting our fiscal problems and plans. I am profoundly grateful for the skill and enterprise which our Budget Officer has applied in bringing this work to completion.

I leave it with you, confident in your ability to solve successfully the problems it so clearly states.

SPECIAL MESSAGE, APRIL 2, 1941

Mr. Chairman and Members of the Ninetieth Legislature:

Acting with forethought and vision, the 89th legislature established in June of last year a State Military Defense Commission. A two million dollar bond issue was authorized to implement the efforts of this Commission.

By January of this year approximately \$1,746,793 had been allocated for defense projects.

These included 11 new armories and the rehabilitation of one armory at a total cost of \$1,140,509, repairs to existing state-owned armories in the amount of \$15,000 and provision for the acquisition of an artillery range, the land to cost \$40,000, and \$20,000 to be spent on development. The cost of these projects is to be borne entirely by the State.

State participation to the extent of \$224,972 was authorized in six major airports at Bangor, Millinocket, Presque Isle, Princeton, Auburn, Lewiston and Houlton. The total cost of these projects will amount to approximately \$3,100,000 of which the Federal Government will pay \$2,650,000, and the local sponsors the balance.

To complete all the above projects, with adequate allowances for engineering, administration and reasonable contingencies will cost the State the \$1,746,793 mentioned above.

Since January of this year the Defense Commission has authorized state participation in local sponsorship of 16 additional airports. These are as follows:

Brunswick No. 2 (Site 2), Augusta, Portland, Waterville, Brunswick No. 1 (Site 1), Caribou, Sanford, Dexter, Belfast, Farmington, Fort Kent, Pittsfield, Greenville, Skowhegan, Eastport, Rockland.

The total cost of these projects will approximate \$7,400,000, ninety to ninety-five per cent of which will be borne by the Federal Government, the State sharing in the sponsor's cost to the extent of \$173,822.

In planning our airport program, your Commission has endeavored to follow as closely as possible a program set down by the War Department in Washington. There is the route along the coast made up of relatively small airports. There is the main airway running well back from the coast, away from coastal fogs and generally following the industrial areas of Sanford, Lewiston, Auburn, Augusta, Waterville, Bangor, Millinocket, Houlton, Presque Isle, Caribou and points North and East. On this central route are located the biggest airports with the longest runways. Back of this, there is still a third line, running up through Farmington, Greenville, and straight to Fort Kent and points North. Around Bangor, which will be the big operating base, are located several subsidiary fields which

the Army considers important from the standpoint of tactical operation in conjunction with the base field.

Another point which your Commission has kept in mind is that, whereas these ports are being built primarily for defense purposes, it is also important that they be located in such places that they will serve the maximum peacetime usefulness. In this way, the normal demands of commerce may well maintain a resource which would be of tremendous value in times of war.

Personally, I believe it is an excellent program, sound not only from the standpoint of defense, but also as a long term investment for Maine. When it is completed, Maine will have an airport system second to that of no other state.

There remains approximately \$121,470 unexpended balance in the military defense fund. Further demands will undoubtedly be made against this balance during the coming months. I anticipate that the State Guard will need further financial assistance and the needs of civil defense will require funds. It is, however, my considered judgment that through the foresight of the past legislature, all reasonable military requirements of the present, which should come from this fund, have been met. Should unforeseen emergencies of vital importance arise, I shall call you in special session. At this time, I feel that there is no situation which justifies the issuance of additional bonds for the military defense fund.

For your further information with regard to detailed expenditures and allotments from the Maine military defense fund, I am happy to append hereto a complete current report from the Commission.

During the past few months the Federal Government has shown increasing interest in the strategic value of our highway system. This has been indicated by their willingness to undertake certain W. P. A. projects on the favorable basis of 80% federal money to 20% state money. Although the military value of these widely scattered projects, when viewed in connection with our entire strategic highway system, would seem remote, they do nevertheless offer an advantageous means for improving our roads. By action of this legislature, blanket projects involving the expenditure of \$1,500,000 are now under way. It is my understanding and my hope that provision will be made in the highway appropriation resolve for the next two fiscal years which will permit taking advantage of similar projects up to \$4,500,000, should federal money be offered on the same basis.

In addition to these W. P. A. projects, I am informed by the highway department that the Federal Government is considering an appropriation which would result in a further apportionment to Maine of \$866,500 for use on strategic highways. While not definitely determined, these funds would probably be available on the basis of 60% federal to 40% state money, the state paying for the engineering and land damage. An item

of \$104,000 for survey and planning of the strategic network system is anticipated, to be matched on an equal basis by the State. It is my understanding and hope that provision for matching these funds will also be included in the highway appropriation for the coming biennium.

Should these various defense highway funds be made available as now seems likely, our normal Federal highway program will be increased by a total of some \$6,354,500, which is nearly three-fold our normal program.

To carry out this program, requires the reissue of \$2,300,000 bonds. These bonds should not be issued unless the above mentioned federal grants are made available. I am convinced that our present highway revenues are sufficient to service and retire such issue, and therefore recommend this action.

The Highway Department informs me that there are 54 bridges located on our strategic network, which will not meet the engineering standards desired for military use. These bridges are located in the following places:

Route	Town	Name of Bridge
U. S. 1	Portland	Washington St. Overhead
U. S. 1	Portland	Tukey's (Swing span)
U. S. 1	Damariscotta- Newcastle	Damariscotta
U. S. 1	Rockport	Rockport
U. S. 1	Belfast-Northport	Little River
U. S. 1	Bangor-Brewer	Bangor-Brewer
U. S. 1	Houlton	Old Iron
U. S. 1	Fort Kent	Main Street
U. S. 1A	Milbridge-Harrington	Kennedy
U. S. 2	Bethel	Overpass
U. S. 2	Hanover	Saunders Hill
U. S. 2	Rumford-Mexico	Red
U. S. 2	New Sharon	New Sharon
U. S. 2	Skowhegan	South Channel
U. S. 2	Skowhegan	North Channel
U. S. 2	Orono	Ferry Hill
U. S. 2 Alt.	Houlton	Hodgdon
U. S. 201	Augusta	Kennebec River
U. S. 201	Embden-Solon	Embden-Solon
U. S. 201	Parlin Pond	Peal
U. S. 201	Jackman	Moose River
U. S. 202	Lebanon- Rochester, N. H.	East Rochester
U. S. 202	Alfred	Shaker Mill
U. S. 202	Hollis	Bradbury

Route	Town	Name of Bridge
U. S. 202	Gorham	Dequis Mill
U. S. 202	Auburn-Lewiston	North
U. S. 9	T-28 (Township)	East Branch
9	T-22 "	Upper Guagus
9	T-30 "	Mopang Stream
11	Mechanic Falls	Mechanic Falls
11	Enfield-Howland	Penobscot River
11	Masardis	St. Croix
11	T-S, R-5	Boody
16	Magalloway P.	Brown Farm
16	Lincoln P.	Olson
16	Lincoln Pl.	Abbot
16	Adamstown	Pepper Pot
16	Lower Cupsuptic	Cold Stream
16	Lower Cupsuptic	Cupsuptic
16	Rangeley	Kennebago
16	Anson	Shank Factory
16	Abbot	Thorn
16	Guilford	Guilford
111	Alfred	Saco
111	Biddeford	B & M Overpass
221	Brownville	Walker
221 (Ext)	T-5, R-9	E. Branch Pleasant River
221 (Ext)	TAR 8-9	West Sebocis Stream (new)
221 (Ext)	T-4, Ind. P.	Partridge Brook (new)
221 (Ext)	T-4, Ind. P.	B & A Underpass (new)
221 (Ext)	T-4, Ind. P.	Grant Brook
221 (Ext)	T-3, Ind. P.	W. Br. Penobscot River (new)
211 (Ext)	T-1, R-7	E. Br. Penobscot River (new)
211 (Ext)	T-1, R-7	Schoodic Stream (new)

In addition to these there is the Caribou bridge, which demands immediate attention and the proposal for a new Augusta bridge, which I believe merits your favorable consideration.

A war bond issue in the amount of \$2,000,000 will provide sufficient funds to largely correct this situation. I recommend such an issue.

In considering the issue of bonds today, it would seem wise to bear in mind that we are in a period of inevitable inflation. This issue of billions in bonds by the Federal Government is bound to be inflationary. The value of our money therefore will doubtless decrease substantially during the next few years. The value of these highway structures, however, will remain the same regardless of the value of money. Under these circum-

stances, it would appear an opportune time to convert money into structure.

Also we must ever be mindful of the military fact that airplane, tanks and motorized units move on structures not dollars. It takes time to build these structures.

We may not have too much time.

APPENDIX TO ADDRESS BY GOVERNOR SEWALL

To the Members of the 90th Maine Legislature:

On October 22, 1940, the State Military Defense Commission filed with the 89th Legislature, in special session, a report on its activities since its organization on July 3rd, 1940. Developments subsequent to this report are to be noted as contained herein.

Airports

As stated in our prior report six airports were given priority by the General Staff at Washington (Bangor, Millinocket, Houlton, Auburn-Lewiston, Presque Isle and Princeton). The necessary Presidential approval to carry the work forward through the agency of W. P. A. has since been made. In general it can be stated that a Class 3 airport has a recommended landing strip length of 3,500 feet to 4,500 feet—Class 4, 4,500 feet and over. The width of the usable landing strip 500 feet. The width of the runway 150 feet. Facilities desired include adequate drainage, fencing, marking, wind direction indicator, hangar and shop, fueling, weather bureau, two-way radio and visual traffic control. The commission's participation is concerned only with the landing area including pavement of runway, drainage and lighting. The number of landing strips and runways is determined by the percentage of winds, including calms and of course the terrain. The principal considerations and basic factors are set forth in "Airport Design Information," a booklet prepared by Civil Aeronautics Authority.

The following is the list of airports certified by the War Department and on which allotments have been made by W. P. A. or C. A. A. for construction funds. At some of these municipalities suitable sites have not been procured. In others the Federal authorities have not been able to complete the surveys, plans and estimates. The commission has authorized participation in the following 22 airports as requirements are met, and the following table gives comprehensive data on the airports in which the commission is participating.

Airport	No. Runways and Length	Com. Participation	Estimated Total Cost
1. Bangor	2—5000' 1—4500'	\$73,384 (a)	\$1,009,953
2. Millinocket	2—5000'	15,250	621,657
3. Presque Isle	3—5000'	23,338	817,970
4. Princeton	2—3500'	32,900	433,374
5. Auburn-Lewiston	2—3400'	22,700	426,700
6. Houlton	1—3150' 2—4000' 1—2850'	30,784	692,917
7. Bath-Brunswick	No plans as yet	(b)	
8. Augusta	1—3400' 1—2900' 1—2200' 1—1950'	(b)	
9. Portland	3—3500'	16,250	408,400
10. Waterville	2—4000' 1—2300'	9,317	438,223
11. Brunswick	2—3000'	(b)	
12. Dexter	2—3000'	(b)	
13. Belfast	No plans as yet	(b)	
14. Farmington	No plans as yet	(b)	
15. Fort Kent	No plans as yet	(b)	
16. Pittsfield	2—3000'	1,405	134,176
17. Greenville	1—3000'	(b)	
18. Eastport	2—3000'	18,000	469,057
19. Skowhegan	No plans as yet	(b)	
20. Rockland	No plans as yet	(b)	
21. Caribou	Plans for one runway	(b)	
22. Sanford	3—3000'	(b)	409,251
		\$398,794 (c)	

(a) Further payments due for land damage. Amount not yet ascertained.

(b) These twelve airports will be aided by commission, but the amount is not definitely established.

(c) This figure includes above participation and commission estimate of (a) and (b).

The following tabulation shows the situation as to the Armory program.

Armory	Unit	Contractor	Cost
Portland—Milk St.	240 C. A.	J. H. Simonds Co.—Portland	
(Alterations)		A. A. Jackson—Bangor	(a) \$23,758
Portland—Stevens Ave.	103 Inf.		
Portland—Stevens Ave.	118 Q. M.	Robert Verrier & Co.—Portland	149,948
Portland—Stevens Ave.		Land	35,000
South Portland	240 C. A.	H. P. Cummings Const. Co.—Portland	119,986
Brunswick	240 C. A.	Stewart & Williams, Inc.—Augusta	62,558
Saco	240 C. A.		
	103 Inf.	Brown Const. Co.—Portland	106,125
Rumford	103 Inf.	J. R. Partridge—Augusta	109,410
Norway	103 Inf.	Hew Const. Co.—Boston	83,762
Belfast	103 Inf.	Gideon Marshall—Waterville	8,498
		Walter Mitton—Augusta	43,761
Presque Isle	152 F. A.	Not let	(a) 106,650
Newport	103 Inf.	V. E. Dunn & Son—Augusta	50,230
Brewer	152 F. A.	A. R. Kenney & Sons—Bangor	129,523
Houlton	152 F. A.	Not let	(a) 111,300
(a) Estimated			\$1,140,509

In the above cases, except Stevens Avenue, Portland, the land was provided by the municipality. Work has been completed or nearly so at the Milk Street Armory, Portland, Brunswick, and has been progressed at Belfast, Stevens Avenue in Portland, and South Portland. At all other places, except Presque Isle and Houlton, work will begin as soon as ground conditions permit.

The Presque Isle and Houlton plans and specifications are completed and bids will be called for shortly.

There are thirty-two armories in the State. The State formerly owned five and the present program calls for the construction of eleven new armories. This will leave one-half or sixteen leased armories which are for the most part inadequate for training purposes and lack the necessary

facilities for the proper storage of State and Federal property and many are pronounced fire hazards.

As the State owns five armories, some of which need repairs and improvements, \$15,000 has been set aside to take care of these items. Maintenance work required at this time is practically completed.

This makes a total devoted to armories, outside of engineering, inspection, office expense and contingencies, of \$1,155,509.

For items of engineering, inspection and office expense, pertaining to the total program of airports, armories and other projects, the commission has set aside \$122,525, and for possible contingencies in connection with this total program \$183,787.

Artillery Range

The commission originally selected a site in Aurora, Amherst, Plantation 33 and Township 32, all in Hancock County, the tract comprising 9,673 acres, which had the approval of both the U. S. Army and Maine National Guard officers. Due to unfavorable prices demanded for some of the property, the commission has been looking elsewhere. In view of the fact the 152 F. A. has not fired a shot for four years, the need of an artillery range is obvious. The commission has set aside \$60,000 for an artillery range, divided as follows: \$40,000 for cost of land and \$20,000 for its development.

This leaves an unallocated balance of \$121,470.54. The commission has before it several defense projects which will necessitate expenditures from this balance. The airport development is undergoing further changes, which may create further draft on this fund.

(Signed)

SUMNER SEWALL.

(Signed)

FRANK E. SOUTHARD,
Vice Chairman and Secretary.

March 31, 1941.

Statement of Expenditures to March 26, 1941

Payroll	\$ 17,265.21
Travel Expense	3,475.30
Supplies Expendable	1,280.52
Supplies Non-Expendable	624.59
Architects' Fees	26,271.99
Advertising Bids	462.02
Airport Construction	169,008.31
Armory Construction	126,216.52
Artillery Range	2,079.16
	<hr/>
	\$ 346,683.62

General Overhead

Salaries	\$	9,593.28
Travel Expense		1,004.66
Supplies Expendable		1,125.79
Supplies Non-Expendable		624.59
Airports Overhead		1,920.28
Armories Overhead		2,187.45
Artillery Range		2,079.16
Bombing Range		28.00
Auburn-Lewiston Airport		12,726.18
Bangor		73,996.70
Houlton Airport		19,333.64
Millinocket Airport		8,993.05
Presque Isle Airport		23,475.44
Princeton Airport		34,116.98
Bangor Armory		3,183.87
Bath Armory		925.13
Belfast Armory		15,193.93
Brewer Armory		3,759.79
Brunswick Armory		52,823.57
Gardiner Armory		1,291.06
Lewiston-Auburn Armory		4.20
Houlton Armory		51.33
Millinocket Armory		68.35
Newport Armory		1,511.38
Norway Armory		2,473.18
Portland—Milk Street Armory		23,773.66
Portland—Stevens Avenue		40,516.77
Presque Isle Armory		61.65
Rumford Armory		3,217.07
Saco Armory		3,104.93
South Portland Armory		3,491.81
Westbrook Armory		26.74
	\$	346,683.62
Amount of Bonds	\$	1,000,000.00
Transferred from Unexpended Armory Fund		25,511.82
Charge for Plans and Specifications		27.00
Brunswick's Share of Armory Construction		15,000.00
Sale of Scrap Iron—Stevens Avenue Car barn Property ...		1,546.72
	\$	1,042,085.54
Total Disbursements to March 26, 1941		346,683.62
Balance	\$	695,401.92

VETO MESSAGE
STATE OF MAINE
Executive Department

April 26, 1941.

To the Honorable Senate and House of Representatives:

I return herewith without my signature Legislative Document 1033, "An Act to Provide a Jointly Contributory Retirement System for State Employees except Teachers."

This is sound, forward-looking and constructive legislation and should become the law of Maine at the earliest practical time. I am in entire agreement with both the principle and expressed intent of this bill. Over a period of years it would increase the efficiency of State government and result in actual economy. It is with regret, therefore, that I feel obliged to withhold my signature as there is no provision of funds to implement it at this time.

Respectfully submitted,

(Signed)

SUMNER SEWALL,
Governor.

EXECUTIVE DEPARTMENT

Augusta, Maine

April 26, 1941.

To the Honorable Senate and House of Representatives:

There is herewith transmitted a list of the Acts and Resolves passed by the present Legislature.

Of the total number passed I have approved 398 Acts and 146 Resolves. I have returned 1 Act without approval.

I am convinced that the record of this session will stand as a measure of the courage and strength of the 90th Legislature.

Having no further business to draw your attention, I wish you a safe journey to your homes.

Respectfully submitted,

SUMNER SEWALL,
Governor of Maine.