

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, January 26, 1937.

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

Prayer by the Rev. Mr. Webber of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Mr. Higgins of Ellsworth, was granted permission to address the House.

Mr. HIGGINS: Mr. Speaker and Members of the House: I have to say a few words this afternoon in regard to a matter that we of Hancock county felt was completely settled.

In 1935 the Legislature gave authority to set up a Bridge District in order that a bridge might be built from the mainland to Deer Isle, known as the Deer Isle-Sedgwick Bridge District. That was necessary in order that a large sum of money might be borrowed from the Federal government. Arrangements were promptly made with the Federal government, and everything seemed to be moving along smoothly when, in December, 1936, the P. W. A. authorities wanted a change made in the original bill. We had to change the bill so that the District could accept a gift of \$105,000 more from the Federal government, and we did that with considerable pleasure.

Now, however, the P. W. A. authorities, in their usual technical way, ask that one other situation be changed. This bridge is going to cost nearly a million dollars and is going to cover quite a span of water. At the present time, as probably all of you may assume, there is a ferry across that span of water. After the bridge is built the ferry will cease to function, and we as practical persons would know that it would have to cease to function. It could not possibly compete with a bridge and no one would use it; but the P. W. A. authorities are not so certain as those of us who have had experience, and so they come to us this afternoon and ask that that change be made in the original act so that the ferry, or other facilities, could not compete with the bridge. As

a practical matter, I am convinced that the bill is entirely unnecessary. Anyone who knew the situation would realize that it was unnecessary, but Uncle Sam is cautious, and more than cautious, and his agents say to us: "We must have the Legislature provide that a ferry, and other facilities, shall not operate across that small body of water."

Perhaps I should mention this,—which was brought to my attention by one of the members of the House,—that this would not interfere with ferry service or other service going across the bay to Deer Isle, merely across what is known as Eggemoggin Reach, a little stretch of water some two miles long, so that a ferry boat could not operate across that little body of water in competition with a bridge. As I have said, the bill is unnecessary but we need it to satisfy the P. W. A. authorities.

This bill is being introduced as an emergency measure for this reason: The whole bridge set-up hinges on the passing of this bill because, in a letter of a few days ago from the State Director of the P. W. A. for Maine, New Hampshire and Vermont, the following was stated. This letter came to Ray C. Small, Secretary of the Bridge Commission, and the following is a quotation:

"The Administration is willing to approve an extension of time to begin construction to March 1, 1937, and to complete construction not later than June 30, 1938, but only, (a) if the applicant requires no further financing by Public Works Administration and (b) if additional legislation is required, the Maine Legislature enacts such legislation prior to February 1, 1937."

In other words, the Director states that if we do not pass this legislation by February 1 of this year, the extension of time could not be carried out.

The bridge will be started this spring around the first of March and will be completed by June 30, 1938.

Perhaps I should not throw out all these suggestions but they have been made to me.

The franchise of the present ferry owner expires in July of this year and there is a bill before this Legislature asking for an extension which I understand will run until such time as the bridge is com-

pleted. Therefore we are in no way interfering with the rights of that gentleman; in fact he is working with the Bridge District people at this time.

This is the story and it seems very simple to me because I am familiar with it and I trust I have made it seem as simple to you. It is just a set-up, to briefly summarize, and it must be passed as an emergency measure so that it shall be on the books by February 1, 1937. That is one of the requirements of the Public Works Administration. That it is necessary to pass the bill so that the ferry cannot compete means nothing in one way because it could not possibly compete. I therefore introduce this bill this afternoon and I trust I have made it clear enough so that you will see it in the same light as those of us see it who are from Hancock county. I am going to ask that it move along rather rapidly because time is short, and, as you will see by the calendar, something must be done between now and Thursday, when we adjourn, and February 1st is earlier than we will convene again. I therefore move that the rules be suspended and the bill be given its three several readings and passed to be engrossed at this time, without reference to a committee.

The bill is as follows:

H. P. 314, Bill an act relating to the Deer Isle-Sedgwick Bridge District.

(Emergency Preamble)

Whereas, any competing facility to said bridge would obviously reduce the gross earnings thereof and directly reflect in the funds necessary for maintenance, upkeep, repairs and operation, interest on the debt and the payment of the principal and the retirement of bonds, and

Whereas, the Federal Emergency Administration of Public Works now require a legal guarantee, on or before February 1st, next, that following the opening of said bridge to traffic, no person, firm or corporation shall thereafter maintain and operate a competing facility, and

Whereas, the Government offer of grant and/or loan of moneys necessary to the construction of said bridge is predicated upon the legal assurance last above mentioned, and

Whereas, in the opinion of the

Legislature these facts render the immediate passage of this act necessary for the preservation of the public peace, health and safety, and constitute an emergency within the meaning of section 16 of Article XXXI of the constitution; now, therefore,

Be it enacted by the people of the State of Maine, as follows:

Sec. 5. of the Public and Special Laws of 1935, chapter 88, amended. Section 5 of chapter 88 of the Private and Special Laws of the year 1935 is hereby amended by adding to said section the following:

That on and after the date of the opening of said bridge to motor vehicle traffic, no person, firm or corporation shall in any manner maintain and operate a competing facility across Eggemoggin Reach.

Emergency Clause. In view of the emergency cited in the preamble hereof this act shall take effect when approved.

Thereupon, the bill had its three several readings under suspension of the rules and was passed to be engrossed without reference to a committee.

On motion by Mr. Higgins, it was voted that the bill be sent to the Senate forthwith.

The following bills and resolves were received, and upon recommendation of the committee on Reference of Bills were referred to the following committees:

Agriculture

An act imposing a tax of one cent per barrel on potatoes for advertising and stabilizing the potato industry of the State (H. P. No. 284) (Presented by Mr. Findlen of Fort Fairfield).

(1000 copies ordered printed).

Appropriations and Financial Affairs

Resolve in favor of the Knox Arboretum and Wild Life Sanctuary (H. P. No. 285) (Presented by Mr. Sleeper of Rockland)

Claims

Resolve in favor of Charles H. Paulsen of South Portland (H. P. No. 286) (Presented by Mr. Hinckley of South Portland).

Resolve in favor of Oscar E. Young of Fayette (H. P. No. 287) (Presented by Mr. Newton of Readfield).

Resolve in favor of George A.

Dodge of Wayne (H. P. No. 288)
(Presented by same gentleman).

Inland Fisheries and Game

An act relative to damage by deer and moose (H. P. No. 289) (Presented by Mr. Ellis of Rangeley).

(500 copies ordered printed).

An act relating to fishing and hunting licenses (H. P. No. 290) (Presented by Mr. Newton of Readfield).

(500 copies ordered printed).

An act to provide for issuing duplicate hunting and fishing licenses (H. P. No. 291) (Presented by Mr. Young of Old Orchard Beach).

(500 copies ordered printed).

Resolve relating to fishing in the waters of Rangeley Lake Region (H. P. No. 292) (Presented by Mr. Ellis of Rangeley).

(500 copies ordered printed).

Resolve for screening Rangeley Lake in the county of Franklin (H. P. No. 293) (Presented by the same gentleman)

Judiciary

An act increasing the penalty for conspiracy (H. P. No. 294) (Presented by Mr. Payson of Portland).

(500 copies ordered printed).

An act relating to cheating by false pretenses (H. P. No. 295) (Presented by Mr. Thorne of Madison).

(500 copies ordered printed).

An act relating to homesteads (H. P. No. 296) (Presented by Mr. Wilkes of Portland).

(500 copies ordered printed).

Legal Affairs

An act to provide for the surrender by town of Carroll of its organization (H. P. No. 297) (Presented by Mr. Haskell of Lee).

(500 copies ordered printed).

Library

Resolve for the purchase of one hundred copies of the "E. C. Plummer History of Bath" (H. P. No. 298) (Presented by Mr. Owen of Bath).

Pensions

Resolve in favor of Joseph E. Colby of Whitefield (H. P. No. 299) (Presented by Mr. Carleton of Alna).

Resolve providing for a State pension for Burton G. Bachelder of Prospect (H. P. No. 300) (Presented by Miss Church of Stockton Springs).

Resolve providing for a State pension for George Carlisle, of Bangor

(H. P. No. 301) (Presented by Mr. Eddy of Bangor).

Resolve providing for a State pension for Chester E. Dearborn of Auburn (H. P. No. 302) (Presented by Mr. Flanders of Auburn).

Resolve providing for a State pension for Arland W. Raynor of Auburn (H. P. No. 303) (Presented by same gentleman)

Resolve providing for a State pension for Lenna G. Collins of Bradley (H. P. No. 304) (Presented by Mr. Ryder of Orrington)

Resolve providing for a State pension for Eathel J. Clark of Northport (H. P. No. 305) (Presented by Mr. Woodbury of Morrill)

Salaries and Fees

An act relating to witness fees for officers and witnesses (H. P. No. 307) (Presented by Mr. Young of Old Orchard Beach)

(Tabled by Mr. Varney of Berwick, pending reference to a committee)

Sea and Shore Fisheries

Resolve relating to the taking of clams within the town of Islesboro (H. P. No. 308) (Presented by Miss Church of Stockton Springs)

(500 copies ordered printed)

Resolve regulating fishing in Flanders Bay (H. P. No. 309) (Presented by Mr. Noyes of Franklin)

State Lands and Forest Preservation

Resolve granting authority to the Forestry Department to sell certain land (H. P. No. 310) (Presented by Mr. Brown of Eagle Lake)

(500 copies ordered printed)

Resolve granting authority to the Forestry Department to sell certain land (H. P. No. 311) (Presented by Mr. Findlen of Fort Fairfield)

(500 copies ordered printed)

Taxation

An act relating to old age assistance (H. P. No. 312) (Presented by Mr. Sleeper of Rockland)

(1000 copies ordered printed)

An act imposing an income tax (H. P. No. 313) (Presented by Mr. Newton of Readfield by request)

(1000 copies ordered printed)

Ways and Bridges

An act relating to construction of State Aid Roads in Indian Township (H. P. No. 283) (Presented by Mr. Chase of Baring)

(500 copies ordered printed)

Resolve in favor of the town of Newcastle (H. P. No. 249) (Presented by Mr. Carleton of Alna)

Resolve in favor of the city of Brewer (H. P. No. 250) (Presented by Mr. Churchill of Brewer)

Resolve in favor of the town of East Machias (H. P. No. 251) (Presented by Mr. Dennison of East Machias)

Resolve in favor of the town of Machias (H. P. No. 252) (Presented by same gentleman)

Resolve in favor of the town of Marshfield (H. P. No. 253) (Presented by same gentleman)

Resolve in favor of the town of East Machias (H. P. No. 254) (Presented by same gentleman)

Resolve in favor of the town of Camden (H. P. No. 255) (Presented by Mr. Dwinall of Camden)

Resolve in favor of the town of Appleton (H. P. No. 256) (Presented by same gentleman)

Resolve in favor of Lang Plantation (H. P. No. 257) (Presented by Mr. Ellis of Rangeley)

Resolve in favor of the town of Brunswick (H. P. No. 258) (Presented by Mr. Erswell of Brunswick)

Resolve in favor of the town of Carroll (H. P. No. 259) (Presented by Mr. Haskell of Lee)

Resolve in favor of the town of Milbridge (H. P. No. 260) (Presented by Mr. Melanson of Cherryfield)

Resolve in favor of the town of Temple (H. P. No. 261) (Presented by Mr. Mosher of Farmington)

Resolve in favor of the town of Chesterville (H. P. No. 262) (Presented by same gentleman)

Resolve in favor of the town of Calais (H. P. No. 263) (Presented by Mr. Murchie of Calais)

Resolve in favor of the town of Calais (H. P. No. 264) (Presented by same gentleman)

Resolve in favor of the town of Sherman (H. P. No. 265) (Presented by Mr. Palmer of Island Falls)

Resolve in favor of the town of Crystal (H. P. No. 266) (Presented by same gentleman)

Resolve in favor of the town of Lisbon (H. P. No. 267) (Presented by Mr. Plummer of Lisbon)

Resolve in favor of the town of Lisbon (H. P. No. 268) (Presented by same gentleman)

Resolve in favor of the town of Nobleboro (H. P. No. 269) (Presented by Mr. Stilphen of Dresden)

Resolve in favor of the town of

Littleton (H. P. No. 270) (Presented by Mr. Stone of Littleton)

Resolve in favor of the town of Littleton (H. P. No. 271) (Presented by same gentleman)

Resolve in favor of the town of Oakfield (H. P. No. 272) (Presented by same gentleman)

Resolve in favor of the town of Montville (H. P. No. 273) (Presented by Mr. Woodbury of Morrill)

Resolve in favor of the town of Liberty (H. P. No. 274) (Presented by same gentleman)

Resolve in favor of the town of Knox (H. P. No. 275) (Presented by same gentleman)

Resolve in favor of the town of Palermo (H. P. No. 276) (Presented by same gentleman)

Resolve in favor of the town of Morrill (H. P. No. 277) (Presented by same gentleman)

Resolve in favor of the town of Old Orchard Beach (H. P. No. 278) (Presented by Mr. Young of Old Orchard Beach)

Resolve in favor Jerusalem Plantation (H. P. No. 279) (Presented by Mr. Ellis of Rangeley)

Resolve in favor of the town of Randolph (H. P. No. 280) (Presented by Mr. Fuller of China)

Resolve in favor of the town of Windsor (H. P. No. 281) (Presented by same gentleman)

Resolve in favor of the town of Brunswick (H. P. No. 282) (Presented by Mr. Lord of Brunswick)

Paper from the Senate (Out of order)

Ordered, the House concurring, that 500 copies of L. D. 46, an act relating to municipal ordinances, be printed.

Comes from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

Orders

Mr. Chase of Baring, presented the following order and moved its passage:

Ordered, that the Superintendent of Buildings be instructed to forthwith install a row of permanent seats next to the rail in the rear of the hall of the House.

On motion by Mr. Ellis of Rangeley, tabled pending passage.

On motion by Mr. Ellis of Rangeley it was

Ordered, that the use of the hall of the House be granted to the Maine Federation of Women's Clubs for Friday, January 29th.

Orders of the Day

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the first unassigned matter, being House Order relative to appointing House Select Committee to investigate advisability of establish-

ing county farms, which was referred to the House of Representatives of this Legislature by the House of the 87th Legislature, tabled by that gentleman on January 19th pending passage; and on further motion by the same gentleman the order was indefinitely postponed.

On motion by Mr. Dow of Kennebunkport,

Adjourned until tomorrow morning at ten o'clock.