

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

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OF THE

STATE OF MAINE



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Falls, Mr. Grua, that the House reconsider its action whereby it indefinitely postponed this bill on February 10th.

The Chair recognizes the gentleman from Brunswick, Miss Bangs.

Miss BANGS: Mr. Speaker, may I have the privilege of facing the assembly?

The SPEAKER: Off the record, it is rather hard for the Speaker to have you turn the other way (Laughter) — but you have the Speaker's permission.

Miss BANGS: Thank you, Mr. Speaker.

Mr. Speaker and Members of the House: I hope you will bear with me. I have a cold, but I do want to put in my two cents' worth at this time. I have always found that I disagree with Mr. Perkins on his theory that what is a bad thing last week is still a bad thing this week. I would say that I have always found that if I have a cavity this week, I can go and have it fixed next week, and it has been remedied. Now, I do not intend to discuss the constitutionality of this proposition. I would simply say that I do feel that in many places in the State of Maine this bill may be of value, and I do not think that it should necessarily be so that every community will have to come back into the Legislature and have a Special Act. Now, I do not know whether this bill is going to be anything that is going to be beneficial to Brunswick. Brunswick is a defense area, but I do say that should it be something that Brunswick needs, I hope we have that power to use it. It is only an enabling act. It does leave the towns and municipalities with local control, home rule. They can decide for themselves whether or not they need this proposition. If Portland is the only community in the State of Maine that needs it, then Portland is the only one that will have it. If Brunswick needs it, then we have that privilege and we can use it. If Bath needs it, or Houlton or Presque Isle, or any of these places which are in defense areas need it, I can see no harm in recommitting this bill to the Committee on Legal Affairs, allow that Committee of ten good lawyers to sit and discuss that bill, discuss the constitutionality, and, if it still is bad, they can come back and tell the members of this House that it is bad, and, if it is

good, and the cavity has been remedied, they will come back and tell us so.

I do sincerely hope that the members of this House will give this bill its proper consideration, and that the motion of the gentleman from Livermore Falls, Mr. Grua, will prevail. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Grua, that the House reconsider its action whereby it voted on February 10th to indefinitely postpone Bill "An Act to Aid the Prosecution of the War by Providing for the Creation of Local Agencies to Cooperate with the Federal Government in Making Housing Available for Persons Engaged in War Industries and Activities and by Granting Certain Powers to Public Bodies." (H. P. 23) (L. D. 9)

The Chair recognizes the gentleman from Portland, Mr. Leavitt.

Mr. LEAVITT: Mr. Speaker, I think the points have been well covered, and I am in favor of the motion of the gentleman from Livermore Falls, Mr. Grua. My name has been injected into the discussion, and I wanted to make it clear that I was for the bill that Mr. Payson has presented.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Grua, that the House reconsider its action of February 10th, whereby it voted to indefinitely postpone this bill, L. D. 9.

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, I ask for a division of the House.

The SPEAKER: The gentleman from Presque Isle, Mr. Brewer, asks for a division. All those in favor of the motion of the gentleman from Livermore Falls, Mr. Grua, that the House reconsider its action of February 10th, whereby it voted to indefinitely postpone L. D. 9, will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had. One hundred and six having voted in the affirmative and one in the negative, the motion prevailed; and on motion by Mr. Payson of Portland, the bill was recommitted to the Committee on Legal Affairs and sent up for concurrence.

On motion by Mr. Dow of Fal-mouth, the House voted to take from

the table the eleventh unassigned matter, Bill "An Act Relating to Credit for Excise Tax Paid" (H. P. 268) (L. D. 194), tabled by that gentleman on February 17th, pending second reading; and on further motion by the same gentleman the bill was given its second reading.

Mr. Dow then offered House Amendment "A" and moved its adoption.

House Amendment "A" read by the Clerk as follows:

House Amendment "A" to H. P. 268, L. D. 194, Bill, "An Act Relating to Credit for Excise Tax Paid".

Amend said Bill by adding at the end of the 1st sentence of the 2nd paragraph thereof the following underlined words: **'Provided, however, that only one such credit shall be allowed in any one calendar year.'**

Thereupon, House Amendment "A" was adopted and the Bill was assigned for third reading tomorrow morning.

On motion of Mr. Grua of Livermore Falls, the House voted to take from the table the twelfth unassigned matter, Bill "An Act Relating to Active Retired Justices of the Supreme Judicial and Superior Courts (H. P. 19) (L. D. 24), tabled by that gentleman on February 17th, pending adoption of Committee Amendment "A"; and on further motion by the same gentleman Committee Amendment "A" was indefinitely postponed.

Mr. Grua then offered House Amendment A and moved its adoption.

House Amendment "A" read by the Clerk as follows:

House Amendment "A" to H. P. 19, L. D. 24, Bill "An Act Relating to Active Retired Justices of the Supreme Judicial and Superior Courts."

Amend said bill by striking out in the paragraph beginning "Sec. 76" in the 10th line from the last the words 'or of the superior court'.

House Amendment "A" was adopted, and tomorrow assigned for third reading of the bill.

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

On motion by Miss Deering of Bath, the House voted to take from the table the fourth unassigned matter, Bill "An Act Relating to the Bath Municipal Court" (H. P. 249) (L. D. 165) tabled by that gentleman on February 16th, pending first reading; and on further motion by the same member the bill was recommitted to the Committee on Judiciary and sent up for concurrence.

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

If there is nothing further to come before the House, the Clerk will read the notices.

On motion by Mr. Goldsmith of Orono,

Adjourned until ten o'clock tomorrow morning.