

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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1927

PROCLAMATIONS

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STATE OF MAINE

A PROCLAMATION BY THE GOVERNOR

Special Referendum Election, December 7, 1925

Whereas; the Eighty-second Legislature of the State of Maine, convening upon the first Wednesday of January in the year of our Lord one thousand nine hundred and twenty-five, duly enacted two public laws entitled, "An Act Relating to Standard Time," and "An Act to Define Certain Grades of Milk Offered for Sale Within the State," which laws appear in the Public Laws of the State of Maine for the year 1925, as Chapters 57 and 200 thereof, respectively, and which laws provide as follows, namely:

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

"Sec. 1. Within the state of Maine, the standard time shall be based on the mean astronomical time of the seventy-fifth degree of longitude west from Greenwich, known and designated by the federal statute as 'United States Standard Eastern Time.' It shall be unlawful for any town or other municipality to vote for, or otherwise establish, any other system of time.

"Sec. 2. The supreme judicial court in equity, by writ of injunction or otherwise, may restrain or annul proceedings in any town or city in violation of the preceding section, upon application of ten or more taxable citizens of the state and a writ of temporary injunction may issue forthwith without the filing of a bond by such petitioners."

And

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

"Sec. 1. The term "Grade A Milk" shall apply to natural milk which shall contain not less than four per cent butter, fat, nor less than twelve and fifty hundredths total solids, and shall come from cows free from disease as determined by tuberculin tests by a qualified veterinarian, and that the bacterial count shall not exceed fifty thousand per cubic centimeter plate count as determined by the standard methods of the American Public Health Association, at time of delivery to consumer, and shall be produced in dairies that score at least eighty on the U. S. Bureau of Animal Industry score card. Whoever by himself, his servant or agent, sells, exchanges or delivers or has in his custody or possession with intent to sell, exchange or

deliver any milk, designated as "Grade A Milk" and not conforming to the rules, regulations and standards, as established under this act, shall be punished by a fine not exceeding fifty dollars for each offense. The commissioner of agriculture shall, either in person or by his duly authorized agent or assistant, diligently enforce this act.

"Sec. 2. It shall be lawful for any person engaged in the production, sale, distribution and delivery of milk, who shall produce for sale, distribution and delivery "Grade A Milk" as defined in section one of this act, to also produce, sell, distribute and deliver at and from the same dairy other milk which shall contain not less than 3.25% of butter fat and 11.75% of solids which shall comply with the requirements of section one of this act except as to butter fat and solid content, provided that the retail or final container of the same shall be plainly marked with the name or trade name of the producer, dealer and distributor thereof; and no city or town, nor any board of health or health officer shall pass any ordinance, by-law or regulation contrary to the provisions hereof."

And whereas; said public law entitled, "An Act Relating to Standard Time", was duly approved by the Governor of the State of Maine on March 25, 1925.

And whereas; said public law entitled, "An Act to Define Certain Grades of Milk Offered for Sale Within the State", was duly approved by the Governor of the State of Maine on April 10, 1925.

And whereas; Sections 16 and 17 of Part Third of Article IV of the Constitution of Maine, as amended, provides as follows:

"Sec. 16. No act or joint resolution of the legislature, except such orders or resolutions as pertain solely to facilitating the performance of the business of the legislature, of either branch, or of any committee or officer thereof or appropriate money therefor or for the payment of salaries fixed by law, shall take effect until ninety days after the recess of the legislature passing it, unless in case of emergency, (which with the facts constituting the emergency shall be expressed in the preamble of the act), the legislature shall, by a vote of two-thirds of all the members elected to each house otherwise direct. An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health or safety; and shall not include (1) an infringement of the right of home rule for municipalities (2) a franchise or a license to a corporation or an individual to extend longer than one year, or (3) provision for the sale or purchase or renting for more than five years of real estate.

"Sec. 17. Upon written petition of not less than ten thousand electors, addressed to the governor and filed in the office of the secretary of State within ninety days after the recess of the legislature, requesting that one or more acts, bills, resolves or resolutions, or part or parts thereof passed

by the legislature, but not then in effect by reason of the provisions of the preceding section, be referred to the people, such acts, bills, resolves, or resolutions or part or parts thereof as are specified in such petition shall not take effect until thirty days after the governor shall have announced by public proclamation that the same have been ratified by a majority of the electors voting thereon at a general or special election. As soon as it appears, that the effect of any act, bill, resolve, or resolution or part or parts thereof has been suspended by petition in manner aforesaid, the governor by public proclamation shall give notice thereof and of the time when such measure is to be voted on by the people, which shall be at the next general election not less than sixty days after such proclamation, or in case of no general election within six months thereafter the governor may, and if so requested in said written petition therefor, shall order such measure submitted to the people at a special election not less than four nor more than six months after his proclamation thereof."

And whereas it appears that written petitions of not less than ten thousand electors of this State, addressed to the governor were filed in the office of the Secretary of State within ninety days after the recess of the said Eighty-second Legislature, requesting that said public acts as recited above be referred to the people, and it further appearing that the effect of said public acts was suspended by said petitions, under the Constitutional provisions above quoted;

Now therefore, I, Ralph O. Brewster, Governor of the State of Maine, in accordance with said provisions of the Constitution of Maine hereby declare that the acts as recited above have been suspended and I hereby designate the first Monday of December, being the 7th day of said Month, in the year of our Lord one thousand nine hundred and twenty-five, as the time on which the above mentioned public acts shall be voted on by the people of said State in accordance with the Constitutional provisions above mentioned.

[Seal]

In witness whereof, I have caused the seal of the State to be hereunto affixed at Augusta, Maine, this sixth day of August in the year of our Lord one thousand nine hundred and twenty-five and in the year of the Independence of the United States, the one hundred and fiftieth.

RALPH O. BREWSTER,
Governor.

By the Governor:
FRANK W. BALL,
Secretary of State.