

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, March 11, 1947.

The Senate was called to order by the President.

Prayer by the Reverend T. Porter Drumm of Augusta.

Journal of Friday, March 7th, 1947 read and approved.

Papers from the House referred in concurrence.

House Committee Reports

The Committee on Banks and Banking on Bill "An Act Relating to Profits and Losses of Loan and Building Associations and/or Savings and Loan Associations," (H. P. 1144) (L. D. 744) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Capital Stock of Loan and Building Associations and/or Savings and Loan Associations," (H. P. 1145) (L. D. 745) reported that the same ought to pass.

The Committee on Motor Vehicles on Bill "An Act Relating to Inspection of Motor Vehicles," (H. P. 1193) (L. D. 781) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Excise Tax on Motor Vehicles," (H. P. 1195) (L. D. 821) reported that the same ought to pass.

The Committee on Salaries and Fees on Bill "An Act Increasing the Salary of the Register of Deeds in Sagadahoc County," (H. P. 184) (L. D. 132) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County," (H. P. 185) (L. D. 133) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Recorder of the Brunswick Municipal Court," (H. P. 187) (L. D. 135) reported that the same ought to pass.

The same Committee on Bill "An Act Relative to the Salary of the Judge of the Brunswick Municipal Court," (H. P. 469) (L. D. 303) reported that the same ought to pass.

The same Committee on Bill "An Act Increasing the Salary of the Recorder of Eastport Municipal Court," (H. P. 509) (L. D. 330) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the

County Attorney in Sagadahoc County," (H. P. 625) (L. D. 385) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Sheriff of Penobscot County," (H. P. 687) (L. D. 443) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the County Attorney and Assistant County Attorney in Penobscot County," (H. P. 1203) (L. D. 823) reported that the same ought to pass.

Which reports were severally read and adopted in concurrence, the bills read once and tomorrow assigned for second reading.

The Committee on Banks and Banking on Bill "An Act Authorizing Loan and Building Associations and/or Savings and Loan Associations to Adopt Pensions and Retirements," (H. P. 1143) (L. D. 743) reported that the same ought to pass as amended by Committee Amendment "A", submitted herewith.

The Committee on Salaries and Fees on Bill "An Act Increasing the Salary of the Judge of Probate in Sagadahoc County," (H. P. 628) (L. D. 388) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Increasing the Salary of the Register of Probate in Sagadahoc County," (H. P. 627) (L. D. 387) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act to Increase the Salary of Sheriff in Sagadahoc County," (H. P. 626) (L. D. 386) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Increasing the Salary of the County Treasurer of Sagadahoc County," (H. P. 183) (L. D. 131) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Relating to Salaries of Judge and Recorder of the Bath Municipal Court," (H. P. 182) (L. D. 130) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which reports were severally read and adopted in concurrence, and the bills read once; Committee Amend-

ments "A" were severally read and adopted in concurrence, and the bills as amended were tomorrow assigned for second reading.

The Committee on Legal Affairs on Bill "An Act Relating to the Appointment, Term of Office and Removal of the City Clerk of the City of Lewiston," (H. P. 670) (L. D. 465) reported the same in a new draft (H. P. 1531) (L. D. 1114) under the same title, and that it ought to pass.

Which report was read and adopted in concurrence, the bill in new draft read once, and tomorrow assigned for second reading.

The Committee on Judiciary on Bill "An Act to Incorporate the Kenduskeag Development District," (H. P. 924) (L. D. 560) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, report read and adopted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A".

In the Senate, the report was read and adopted in concurrence and the bill was given its first reading. Committee Amendment "A" was read and adopted in concurrence, House Amendment "A" was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to reconsider its action taken earlier in today's session, whereby the report of the Committee on Salaries and Fees "Ought to pass as amended by Committee Amendment A" on Bill, An Act Relating to Salaries of Judge and Recorder of the Bath Municipal Court (H. P. 182) (L. D. 130) was adopted in concurrence; and on further motion by the same Senator, the report and accompanying papers were laid upon the table pending adoption of the report.

Order

On motion by Miss Clough of Penobscot, it was

ORDERED, that 300 additional copies of Legislative Document 1211, Bill An Act Creating a State Administered Probation System, be printed.

Senate Committee Reports

Mr. Savage from the Committee on Appropriations and Financial

Affairs on Bill "An Act Appropriating Moneys for 1946-47 Appropriation Deficiencies in Aid to Dependent Children, World War Assistance, Board and Care of Neglected Children, and Indians." (S. P. 358) (L. D. 1027) reported that the same ought not to pass.

(On motion by Mr. Haskell of Penobscot, tabled pending adoption of the report and especially assigned for tomorrow.)

Mr. Dunbar from the Committee on Judiciary on Bill "An Act to Authorize Fraser Paper, Limited to Merge With and Into, or to Consolidate with, a Corporation Organized Under the Laws of the State of Maine," (S. P. 205) (L. D. 580) reported the same in a new draft (S. P. 454) under the same title and that it ought to pass.

Which report was read and adopted, and the bill in new draft tabled for printing under the joint rules.

Miss Clough from the same Committee on "Resolve in Favor of a Special Recess Committee to Study the Creation of Domestic and Family Courts and Report to the Legislature." (S. P. 283) (L. D. 806) reported that the same ought to pass.

Which report was read and adopted, and on motion by Miss Clough of Penobscot, the bill was laid upon the table pending assignment for second reading.

Mr. Barnes from the same Committee on Bill "An Act Relating to Courts Ordering Care of Child Pending Hearing," (S. P. 280) (L. D. 810) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and adopted and the bill was given its first reading. The Secretary read Committee Amendment A.

"Committee Amendment A to Bill An Act Relating to Courts Ordering Care of Child Pending Hearing, (S. P. 280) (L. D. 810). Amend said bill by inserting in the 3rd line from the end thereof after the word 'care' and before the word 'shall' the following underlined words 'in the first instance.'"

Committee Amendment A was adopted, and the bill as so amended was tomorrow assigned for second reading.

The same Senator from the same Committee on Bill "An Act Relating to Unclaimed Corporation Dividends," (S. P. 282) (L. D. 807) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and adopted and the bill was given its first reading. The Secretary read Committee Amendment A.

"Committee Amendment A to Bill An Act Relating to Unclaimed Corporation Dividends, (S. P. 282) (L. D. 807). Amend said bill by striking out all of the last paragraph."

Committee Amendment A was adopted, and the bill as so amended was tomorrow assigned for second reading.

The same Senator from the same Committee on Bill "An Act Relating to Registration in Optometry," (S. P. 291) (L. D. 818) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and adopted and the bill was given its first reading. The Secretary read Committee Amendment A.

"Committee Amendment A to Bill An Act Relating to Registration in Optometry (S. P. 291) (L. D. 818). Amend said bill by inserting in the 15th line thereof after the word, 'office' and before the word 'until' the following underlined words, 'for a term of 5 years and.'"

Committee Amendment A was adopted, and the bill as so amended was tomorrow assigned for second reading.

Passed to be Engrossed

"Resolve in Favor of Teacher-Pension Status of Martha O. Crosby of Benton." (H. P. 1158) (L. D. 1226)

Which was read a second time and passed to be engrossed in concurrence.

Bill "An Act Relating to Commitment of Children to the Custody of Certain Officers." (H. P. 659) (L. D. 457)

Which was read a second time and passed to be engrossed as amended in concurrence.

Bill "An Act to Provide for Compliance with the National School Lunch Act and to Provide for the Establishment, Maintenance, Operation and Expansion of Nonprofit School Lunch Programs in Schools

in the State." (S. P. 230) (L. D. 641)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to the Control of Rats on Public Dumping Grounds." (S. P. 241) (L. D. 662)

Mr. Morrill of Cumberland presented Senate Amendment A and the Secretary read the amendment:—

"Senate Amendment A to S. P. 241, L. D. 662, Bill An Act Relating to the Control of Rats on Public Dumping Grounds. Amend said bill by striking out in the 5th line thereof the underlined words 'public dumping grounds are maintained in a municipality' and inserting in place thereof the underlined words 'a municipality shall maintain public dumping grounds.'"

Mr. MORRILL of Cumberland: Mr. President and Members of the Senate, this amendment merely clarifies the language as to the implications of geography in the bill. I found several municipalities in the state maintained public dumping grounds for other municipalities, and this amendment merely clarifies the language in the maintenance of public dumping grounds.

Senate Amendment A was adopted.

Subsequently, on motion by Mr. Ela of Somerset, the bill as so amended was laid upon the table pending passage to be engrossed.

Bill "An Act to Provide for Maintenance and Operation of State Technical and Vocational Schools." (S. P. 275) (L. D. 815)

Bill "An Act to Validate Bonds of Presque Isle Water District and Authorize Their Refunding." (S. P. 324) (L. D. 868)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

Bill "An Act Relating to School Committee in Town of Rumford." (S. P. 98) (L. D. 197)

(On motion by Mr. McKinnon of Oxford, tabled pending passage to be engrossed.)

Orders of the Day

On motion by Mr. Cross of Kennebec, the Senate voted to take from the table, Emergency Measure—Bill "An Act to Incorporate the

Hartland School District" (H. P. 851) (L. D. 507) tabled by that Senator on March 7th pending passage to be enacted.

Mr. ROSS: Mr. President, I move the bill be passed to be enacted.

This being an Emergency Measure, a division of the Senate was had. Twenty-six having voted in the affirmative and none opposed, the bill was passed to be enacted.

On motion by Mr. Hopkins of Kennebec, the Senate voted to take from the table, Bill, An Act to Provide Driver Education in Secondary Schools (H. P. 486) (L. D. 316) tabled by that Senator on March 7th pending passage to be engrossed in concurrence.

Mr. HOPKINS: Mr. President and Members of the Senate, there seems to be no limit to the number of activities which can be presented for the State to undertake, and most of them are worthy. This bill here provides for an activity which is entirely worthy but I think it is also a bill which should be given careful consideration.

As I analyze this bill, while the appropriation called for is only \$6,300 a year for the next biennium, it is an activity which can very easily be expanded into a cost that might run up to something approaching \$100,000 a year. If the other members of the Senate analyze the bill and come to any such conclusion as that, the bill is important enough to be given very careful consideration.

When you see a uniformed officer coming down the street you don't very often think "There goes a piece of mechanical equipment which costs the State five or six thousand dollars a year to operate" but it is the cost unless my analysis of the cost of policing is all wrong. This bill provides that the State Police may supply the car and instructor, and says that the secondary schools may request a car and certify that they have made an effort to furnish their own car and instructor. I am sure if that language is in the bill such secondary driving will be taken over by the State if the bill is enacted.

There are some 20,000 youngsters born in the State of Maine a year—something like that—and I never knew a youngster who came to the age of 13, 14 or 15 who didn't want to learn to drive an automobile and if we had this type of training in

the public schools we ought to be able to give it to anyone who wanted it. I am unable to see how any police officer around the public schools giving this type of instruction could give more than four or five instruction hours a day and I don't think any training would be of value unless each pupil were given four or five driving periods and so you can figure out on this assumption that the police officer might train up to a thousand youngsters a year, and that is about all.

If that is the case and you supply this training for all youngsters in the State you are going to have 15 or 20 officers assigned to this type of work, and if my first assumption is correct and a uniformed officer with equipment costs the State \$5,000 or \$6,000 a year, you might come to the conclusion that if we are going to do this job we are going to spend \$75,000 or \$100,000 a year on it, and that is a substantial amount of money. I submit, if it will take that amount it should have the attention of the Senate.

Let me say again, the objectives of the bill meet my approval but I question very much if the people of Maine would want us to go into this activity to the extent which would make it effective, and I think this bill ought not to be enacted and I move its indefinite postponement.

Mr. LEAVITT of Cumberland: Mr. President and Members of the Senate, the Committee on Education heard this bill at its hearing and went into all the points which the Senator from Kennebec, Senator Hopkins, has brought out and we agreed that perhaps some day this will cost more money than is involved in this bill. The only school that has put in this training at the present time is Rockland high school. They have found down there that the results have been very gratifying, that not one person who has taken one of the courses at the present time has been involved in a major accident. The fact that there is a uniformed officer there gets the boys or girls used to an officer, finding out he is a human being instead of someone they are supposed to be scared of. They train them in the rules and regulations of the road and I think it makes them very very much better drivers.

Now, you talk about the cost. At the present time we are killing about 126—I have forgotten the figure—but it is way over 100 people in the State of Maine, and we are injuring ten to twenty times more than that. We are smashing up cars because of the fact that the people who are driving cars at the present time have very little basic knowledge of how to drive. Now, if we should put in a program as the Senator from Kennebec, Senator Hopkins, has suggested which would cost the State \$75,000, and if we could train all new drivers being born in this State so that when they do take over cars they would be good drivers and cut down this accident rate materially, it would be a very fine investment for the State of Maine. I believe this bill calls for the buying of three cars in the next two years, and if the bill is passed we have two companies or at least one company—one has already volunteered and there is another that may—will come here and furnish some cars themselves without our having to buy them. If we should start that program and if we really could teach people to drive, teach them consideration on the road and teach them what rules and regulations are, I think it is going to pay a good deal bigger dividends than we are paying out now or the \$75,000 which Senator Hopkins envisions in the next few years.

Mr. HOPKINS: Mr. President and Members of the Senate, I agree with much that has been said by the Senator from Cumberland (Senator Leavitt) but the time to consider an activity of this sort is when you are first starting it. We are coming to the season now where we are getting into this activity and we may as well face the fact that it is going to cost money. The appropriation in the bill is small, to be sure, but you can be reasonably certain that if we start this activity we shall be in it in an extensive way within the next few years.

Mention has been made about accidents. Of course there is plenty of opportunity for anybody to read and study and learn to safely drive an automobile. I question very much whether an hour's instruction by a state officer for youngsters 14 or 12 years old will have any great effect on their driving habits

as they get older. Accidents are caused by a number of things. Statistics show that more accidents occur with young drivers than with middle aged drivers, and then again when persons get old they have more accidents. With the youngster, after he has driven a short time, he tends to get reckless, his coordinations are more rapid, and by and by he has an accident, usually a bad one. Old people have accidents, of course, because their coordinations are slowed up and their vision isn't so good, but I don't think there is much connection between this preliminary driver training and accidents.

The Senator (Senator Leavitt) mentions supplying three cars. I object to undertaking this program with three cars because I know there are enough youngsters who would like to have training to require several times that number of cars in a year.

I think the Senators should carefully weigh whether they want to start this activity realizing fully it will grow and cost a substantial amount of money in the near future.

Mr. BISHOP of Sagadahoc: Mr. President and Members of the Senate, as the Senator from Cumberland (Senator Leavitt) has stated, we had a hearing on this measure before the Committee on Education and we considered the various angles very carefully and were greatly impressed in the case of Rockland and many other places throughout the country.

The child gets more than an hour's training. He gets eight hours training, part of it behind the wheel with an officer in the front seat and three children in the back seat asking questions and taking their turn when the time comes. Those cars have dual control so the officer has full control of the machine and the children get the preliminary training along with the practical training.

Now, we as a state are in the liquor business. We sell some 24 million dollars worth of liquor a year and from that we get something in the neighborhood of seven and a quarter million dollars. That money is essential, we need it and we spend it for various purposes. Now it seems to me that some of that money could well be spent for the training of our youth in the proper handling of automobiles.

It was brought out very emphat-

ically at the hearing that parents usually are not as good teachers to train their children or other people's children how to drive a car.

The officers and others present admitted that trying to teach parents had been a very unsuccessful task so the proper way to get at teaching our youth to properly drive an automobile would be to do it while they are young and do it by people who know how. Even though a good many youngsters will want to take this course, every school will not offer it. The large schools will offer it first and if it is successful it will expand, and we hope it does and that it is a good investment.

In Rockland where it was tried last year they went through the whole school and trained everyone there who wanted to take the course and there haven't been any accidents from those youngsters who took this course.

Even after the argument that has been presented here and the arguments presented for and against at the hearing, we were unanimously in favor of giving the measure a trial. I believe it will pay dividends. If at any time we find it is not successful, we can curtail or stop it. I believe we ought to pass this measure.

Mr. CROSS of Kennebec: Mr. President and Members of the Senate, in regard to this bill I'd like to give you some of the information that Senator Morrill and myself accumulated in a visit to New York at the Highway Conference as members of the Committee on Interstate Cooperation. It isn't very often you hear from us in that capacity but in this particular instance I think there is something very pertinent regarding the bill at hand which we picked up in New York. This thing was discussed at great length at the conference and naturally they are very interested in anything which would tend toward highway safety and they are operating in New York at the present time a driver education plan, and it was brought out very thoroughly at that meeting that the schools of New York were not taking to this plan very readily because of the impractical aspects of it.

I was very pleased to talk with a professor in the high school there.

His name was Professor Cross and we had quite a discussion. He was professor of physical education in a high school of about 3500 enrollments and he said they had one car there to serve the needs of this size school. He said it was utterly impossible for them to make any reasonable usage of it because of the demands of the children. Every boy and girl in the school wanted to have driver education. That is natural. Every child wants to drive a car. I think we all did but didn't have the opportunity to learn except by the hard way. But his estimate of the dual controlled cars was to say the least, very poor, as about ten percent of the schools in New York have availed themselves of the training. With the money they have to spend I don't think they are taking to it very enthusiastically. But they are enthusiastic over the other phase, and that is classroom education, and I am heartily in favor of this type of work. In this type, in schools with sufficient funds they set up actual dummy cars and each seat is equipped with wheel control and they get aptitude tests and learn the operation of the dummy cars and they also get paper work which gives every conceivable side of driving and safety. I think they benefit more pupils for less money than the actual cost of dual control driver instruction.

The thing is physically impossible to administer for anything less than a large amount of money. I don't think this State any more than New York can afford to put into activities in this line such a large amount of money as will be necessary if you do administer it for the very doubtful returns that will come from it.

I want to point out one more thing which might be of interest to the Senate. We had a hearing before the Committee on Motor Vehicles in regard to junior licenses and the testimony was very interesting. It was brought out that the accident rate for children of the ages from 18 to 22 was very high. I should not have said "children". I should have said "men and women". But the accident rate from 15 to 17 and 18 was very low, and the general trend of thought seemed to be that when the boy or girl is learning to drive he is very careful and in most instances his reactions are very fast and there is

no difficulty in his driving, but when he gets to the age of 18 to 22 he becomes perhaps too self-confident and too cocky and it is where the accidents occur.

So I think the present system of parent instruction could be very materially improved by a certain amount of classroom instruction in driver training but I don't think this bill is the answer. We have sufficient laws on the statute books so that schools may have driving instructions in classrooms and I don't believe the State can afford to go into this program for dual control cars, and I hope the motion of

the Senator from Kennebec, Senator Hopkins, will prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Hopkins, that this bill be indefinitely postponed.

A viva voce vote being had, the motion prevailed, and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mrs. Boutin of Androscoggin

Adjourned until tomorrow morning at ten o'clock.