

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Wednesday, February 4, 1953.

The Senate was called to order by the President.

Prayer by the Rev. Halden Arnold of Augusta.

Journal of yesterday read and approved.

**Referred to Committees
(House Papers)**

Bill "An Act to Repeal the Liquor Research Commission Law and Provide that the Department of Health and Welfare Assume Certain Responsibilities Relating to Alcoholism." (H. P. 206) (L. D. 237)

"Resolve for the Purchase of One Hundred Copies of 'Highlights of Westbrook History.'" (H. P. 207) (L. D. 238)

Which were severally referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Relating to the Taking of Fisher and Sable." (H. P. 211) (L. D. 214)

Bill "An Act Creating Sutton Island, Hancock County, as a Game Preserve." (H. P. 212) (L. D. 239)

Bill "An Act Creating Placentia Island, Hancock County, as a Game Preserve." (H. P. 213) (L. D. 240)

Bill "An Act Relating to Hunting by Minors." (H. P. 214) (L. D. 241)

"Resolve Regulating Ice Fishing in Big Wood Lake, Somerset County." (H. P. 215) (L. D. 242)

"Resolve Regulating Fishing in Number One and Number Two Brooks, Franklin County." (H. P. 216) (L. D. 243)

"Resolve Opening Moose River to Fishing." (H. P. 217) (L. D. 244)

"Resolve Regulating Fishing in Sandy Stream and Heald Stream, in Jackman Plantation, Somerset County." (H. P. 218) (L. D. 245)

"Resolve Regulating Ice Fishing in Attean Lake, Somerset County." (H. P. 219) (L. D. 246)

"Resolve Regulating Fishing in Rancourt Pond, Somerset County." (H. P. 220) (L. D. 247)

Which were severally referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act Relating to Night Hunting of Wild Animals." (H. P. 221) (L. D. 248)

Bill "An Act to Protect Bona Fide Purchasers of Real Estate when Owners Divorced." (H. P. 222) (L. D. 249)

Bill "An Act Relating to Careless Shooting of Humans While Hunting." (H. P. 223) (L. D. 250)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to Practitioners' Services Under the Workmen's Compensation Act." (H. P. 224) (L. D. 251)

Bill "An Act to Clarify Boilers and Unfired Steam Pressure Vessels." (H. P. 225) (L. D. 252)

Which were severally referred to the Committee on Labor in concurrence.

Bill "An Act Relating to Greely Institute." (H. P. 226) (L. D. 253)

Bill "An Act Relating to Lotteries." (H. P. 227) (L. D. 254)

Bill "An Act Relating to Confering Degrees by Westbrook Seminary and Junior College." (H. P. 228) (L. D. 215)

Bill "An Act Relating to Throwing Substances at Motor Vehicles." (H. P. 229) (L. D. 225)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill "An Act Repealing the Laws on Taverns Concerning Liquor." (H. P. 230) (L. D. 256)

Bill "An Act Relating to Hours of Retail Stores Selling Malt Beverages." (H. P. 231) (L. D. 257)

Which were severally referred to the Committee on Liquor Control in concurrence.

Bill "An Act Relating to Educational Requirements and Fees for Chiropractors." (H. P. 232) (L. D. 216)

Which was referred to the Committee on Public Health in concurrence.

Bill "An Act to Incorporate Cumberland-North Yarmouth Water District." (H. P. 233) (L. D. 258)

Which was referred to the Committee on Public Utilities in concurrence.

Bill "An Act Relating to the Taking of Soft Shell Clams, Quahogs and Mussels in Jonesport." (H. P. 234) (L. D. 259)

"Resolve to Prohibit the Dragging of Flounders in Waters Adjacent to Town of Lamoine." (H. P. 235) (L. D. 217)

Bill "An Act Regulating the Digging of Clams in the Town of Tremont, Hancock County." (H. P. 236) (L. D. 218)

"Resolve Relating to the Use of Purse or Drag Seines in Certain Waters." (H. P. 237) (L. D. 219)

Which were severally referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill "An Act to Incorporate the Town of Stacyville." (H. P. 239) (L. D. 220)

Bill "An Act Relating to Clerks for Voting District in Town of Cranberry Isles." (H. P. 240) (L. D. 221)

Bill "An Act Setting Off Part of Spruce Head to South Thomaston, Knox County." (H. P. 241) (L. D. 222)

Bill "An Act Relating to Fees of Registers of Deeds." (H. P. 242) (L. D. 223)

Bill "An Act to Abolish the Polling Place in Rockwood in Somerset County." (H. P. 243) (L. D. 224)

Which were severally referred to the Committee on Towns and Counties in concurrence.

Bill "An Act to Create a Motor Vehicle Dealer Registration Board." (H. P. 244) (L. D. 225)

Which was referred to the Committee on Transportation in concurrence.

Bill "An Act Creating a Division of Indian Affairs." (H. P. 245) (L. D. 226)

"Resolve Providing for an Increase in State Pension for Joseph Quirion of Augusta." (H. P. 294)

"Resolve Providing for State Pension for Almira Coffin of Mechanic Falls." (H. P. 295)

"Resolve Providing for an Increase in State Pension for Charles Bowen, of Newburg." (H. P. 296)

"Resolve Providing for an Increase in State Pension for John W. Carr of Island Falls." (H. P. 298)

"Resolve Providing for State Pension for Francis Green of Whiting." (H. P. 299)

"Resolve Providing for State Pension for Nettie Hood of Lubec." (H. P. 300)

"Resolve Providing for State Pension for Fred H. Greene of Whiting." (H. P. 301)

"Resolve Providing for an Increase in State Pension for Mary R. Mason, of Monmouth." (H. P. 302)

"Resolve Providing for a State Pension for Ada Woodson, of Litchfield." (H. P. 303)

"Resolve Providing for Pension for Fred Dore of Kennebunk." (H. P. 304)

"Resolve Providing for State Pension for Elizah Norton Bowden of Orland." (H. P. 305)

"Resolve Providing for State Pension for Rerbert F. Sanborn of Hollis Center." (H. P. 306)

"Resolve Providing for State Pension for Annette Cyr of Van Buren." (H. P. 307)

"Resolve Providing for State Pension for George Maxwell of Princeton." (H. P. 308)

Which were severally referred to the Committee on Welfare in concurrence.

House Committee Report

The Committee on Taxation on Bill "An Act Relating to Maine Forestry District Taxes." (H. P. 121) (L. D. 86) reported that the same ought to pass.

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

Referred to Committees (Senate Papers)

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

Appropriations and Financial Affairs

Mr. Jamieson of Aroostook presented "Resolve in Favor of Presque Isle Armory Project." (S. P. 121)

Mr. Chase of Cumberland presented "Resolve in Favor of the Maine Historical Society." (S. P. 122)

(Each ordered printed.)
Sent down for concurrence.

Judiciary

Mr. Reid of Kennebec presented Bill "An Act to Clarify Certain Pro-

cedures Under Maine State Retirement Law." (S. P. 123)

Mr. Haskell of Penobscot presented Bill "An Act Relating to the Bangor Public Library." (S. P. 124)

Mr. Ward of Penobscot presented Bill "An Act to Amend the Charter of Great Northern Paper Company, Formerly Northern Development Company." (S. P. 125)

The same Senator presented Bill "An Act Relating to the Consolidation or Merger of Wholly Owned Subsidiaries Into their Parent Corporation." (S. P. 126)

Mr. Weeks of Cumberland presented Bill "An Act Relating to the Powers of the Maine Turnpike Authority." (S. P. 127)

Mr. Squire of Kennebec presented Bill "An Act Relating to Liability for Wilfully Injuring or Killing Dogs." (S. P. 128)

Mr. Wight of Penobscot presented Bill "An Act Relating to Number of Signatures on Certain Nomination Papers." (S. P. 129)

Mr. Dunham of Hancock presented "Resolve in Favor of Vera A. Gordon, of West Sullivan." (S. P. 130)

Mr. Littlefield of York presented Bill "An Act Relating to the Expedition of Trials in Criminal Cases." (S. P. 131)

(Each ordered printed.)

Sent down for concurrence.

Liquor Control

Mr. Tabb of Kennebec presented Bill "An Act Relating to Entertainment in Licensed Liquor Premises." (S. P. 132)

The same Senator presented Bill "An Act Relating to Minor Violations by Liquor Licensees." (S. P. 133)

The same Senator presented Bill "An Act Relating to Certain Violations by Liquor Licensees." (S. P. 134)

The same Senator presented Bill "An Act Relating to Suspension and Revocation of Liquor Licenses." (S. P. 135)

The same Senator presented Bill "An Act Relating to Records of Sale of Malt Liquor." (S. P. 136)

The same Senator presented Bill "An Act to Make Uniform the Legal Hours for Sale of Liquor." (S. P. 137)

The same Senator presented Bill "An Act Relating to Billboard Ad-

vertising of Liquor in Dry Municipalities." (S. P. 138)

The same Senator presented Bill "An Act Relating to Punishment of Liquor Licensees." (S. P. 139)

The same Senator presented Bill "An Act Relating to Fees for Certificates of Approval for Sale of Liquor." (S. P. 140)

(Each ordered printed.)

Sent down for concurrence.

Natural Resources

Mr. Dunham of Hancock presented Bill "An Act Authorizing the Construction of an Intake Structure and the taking of water from Craig Pond, Hancock County." (S. P. 115)

(Each ordered printed.)

Sent down for concurrence.

Taxation

Mr. Chase of Cumberland presented Bill "An Act to Clarify the Sales and Use Tax Law." (S. P. 141)

The same Senator presented Bill "An Act Revising and Amending Provisions of Tax Exemptions on Property." (S. P. 142)

Mr. Squire of Kennebec presented Bill "An Act to Exclude from Sale Price, Under Sales Tax Law, the Fair Market Value of Trade-ins." (S. P. 143)

(Each ordered printed.)

Sent down for concurrence.

Towns and Counties

Mr. Dunham of Hancock presented Bill "An Act Relating to the Salary of the Register of Deeds of Hancock County." (S. P. 144)

The same Senator presented Bill "An Act Relating to the Salary of the County Treasurer of Hancock County." (S. P. 145)

The same Senator presented Bill "An Act Relating to the Hancock County Law Library." (S. P. 146)

Mr. Squire of Kennebec presented Bill "An Act to Increase the Salary of the Recorder of the Waterville Municipal Court." (S. P. 147)

Mr. Weeks of Cumberland presented Bill "An Act Relating to Judge of Probate in Cumberland County." (S. P. 148)

The same Senator presented Bill "An Act Relating to Fees of Deputy Sheriffs." (S. P. 149)

(Each ordered printed.)

Sent down for concurrence.

Transportation

Mr. Haskell of Penobscot presented Bill "An Act Repealing the Provision that Bells Shall be Attached to Foremost Horses on Vehicles Driven on Snow." (S. P. 150)

Mr. BROGGI of York: Mr. President, I move that this item be laid upon the table pending reference.

Mr. HASKELL of Penobscot: Mr. President, the matter should not be discussed in relation to its merit and I rise only to question the Senator on the matter of time. I do not debate the fact that a number of measures like this should not be held up too long and I ask the Senator if he would be willing to assign a time certain.

Mr. BROGGI: Mr. President, I will assign it for tomorrow morning.

The motion prevailed and the bill was laid upon the table pending reference to a committee, and tomorrow morning assigned.

Mr. Boucher of Androscoggin presented Bill "An Act Relating to Special Registration Plates for Amputee Veterans." (S. P. 151)

(Ordered printed.)

Sent down for concurrence.

Welfare

Mr. Boucher of Androscoggin presented "Resolve Providing for a State Pension for Frank D. Michaud, of Lewiston." (S. P. 152)

The same Senator presented "Resolve Providing for a State Pension for Harriet M. Labbe, of Lewiston." (S. P. 153)

The same Senator presented "Resolve Providing for a State Pension for Marie Louise Roberge, of Lewiston." (S. P. 154)

The same Senator presented "Resolve Providing for a State Pension for Marie Rose Gagnon of Auburn." (S. P. 155)

The same Senator presented "Resolve Providing for a State Pension for Willie Desrosier, of Lewiston." (S. P. 156)

Sent down for concurrence.

Order

Mr. Butler of Franklin presented the following Order and moved its passage:

ORDERED, the House concurring, that a joint select committee

be created, consisting of seven on the part of the Senate and sixteen on the part of the House, for the purpose of preparing and reporting to this legislature on or before March 12, 1953, an enumeration of the number of inhabitants of the state, by counties, and by cities, towns, and plantations within each county, together with a bill apportioning representatives in accordance with such enumeration of inhabitants both in accordance and compliance with Sections 2 and 3 of Article LV, Part First, of the Constitution.

As a basis for recommending the apportionment of representatives among the several counties and within the counties, the committee shall first ascertain the number of inhabitants as of the present time, as provided in Section 2 of Article LV, Part First, of the Constitution, and for this purpose is authorized to use the Federal Census of 1950, with such modifications and adjustments as may be required to reflect accurately the changes in the number of inhabitants since the date of taking of said Federal Census.

Mr. HARDING of Knox: Mr. President, I move that the Order be laid upon the table.

Mr. HASKELL of Penobscot: Mr. President, I rise much more seriously with respect to the matter of time, and point out to the Senate and the Senator from Knox, that among the measures that normally hold up the legislative session, we look to the Highway bill and the general fund appropriation bill. From my personal experience of two years ago I think we might well add to that the apportionment problem. Before I vote on the motion to table, I would be very hopeful that the Senator from Knox would assign a time certain to take the order from the table.

Thereupon, on motion by Mr. Harding of Knox, the Order was laid upon the table pending passage, and especially assigned for tomorrow morning.

Passed to be Engrossed

Bill "An Act Relating to the Form of Unregistered State Bonds." (H. P. 47) (L. D. 48)

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

Bill "An Act Relating to Additional Powers to Portland University." (S. P. 30) (L. D. 52)

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

Sent down for concurrence.

Orders of the Day

On motion by Mr. Robbins of Aroostook the Senate voted to take from the table Joint Order Relative to Printed Bills for Town Clerks (H. P. 205) tabled on January 28th by that Senator pending passage in concurrence.

Mr. ROBBINS of Aroostook: Mr. President and members of the Senate, I present Senate Amendment A to the order and by way of explanation I will say that at the beginning of this session the county commissioners of Aroostook County expressed a desire that they should receive copies of all printed bills. I was not aware until this order came in that we had been in the habit of sending out 491 free copies of legislative documents and I see no logic in sending free 491 copies and charging for sixteen. I accordingly move the adoption of the amendment.

The Secretary read the amendment:

"Senate Amendment 'A' to Joint Order H. P. 205 Relative to 'Printed Bills for Town Clerks'. Amend said Joint Order by inserting after the words 'town clerk' in the 1st line thereof, the words 'or/and board of county commissioners'."

Senate Amendment A was adopted and the order as so amended received passage in non-concurrence.

Sent down for concurrence.

Mr. Reid of Kennebec was granted unanimous consent to address the Senate.

Mr. REID: Mr. President and members of the Senate, the remarks which I am about to make are prompted by a pamphlet laid on our desks yesterday morning entitled "If We Were Governor."

Mr. President, the year 1952 was a year of intense political excitement. It was a year of hysteria, a year, in my opinion, of emotional

approach rather than rational approach to a great many problems. It was a year when a black cloud descended over the good name of the State of Maine, the responsibility for which eventually will no doubt be placed somewhere.

It is my hope that the members of this legislature, in considering such matters as the Carroll report, the Bird report and other reports of the Legislative Research Committee, will not take the conclusions of newspaper men but will analyze them themselves on a rational basis and arrive at our own conclusions.

I think it is time for someone to put a block or a stop to the movement started last year and get back to some of our safe and sane American ideals and traditional principles of the State of Maine.

Now, I have no objection to the Guy Gannett chain in Maine furnishing us with any amount of constructive suggestions and I am sure that we welcome them and will evaluate the source from which they come and we will give them proper consideration. I do object to the title of the pamphlet but not to its content, the title, "If I were Governor." As to that all I have to say is God forbid!

During the campaign there appeared in very bold headlines in a Portland paper an editorial which read, "Stand Up and Be Counted." In other words, this great newspaper chain cracked the whip and asked a series of questions to be answered which ranged, facetiously speaking, anywhere from their thoughts on the atom bomb to whether or not they should eat peas with a knife. When I read the article I paraphrased it at the time intending, perhaps, to write a letter to the editor of the Guy Gannett Publishing Company. I used as precisely as I could the exact words of the editorial but I turned them on the newspaper. And I would now like to read to you what I wrote at that time:

"Dear Sir:

It's time for the Guy Gannett Publishing Company to "stand up and be counted" on something.

For instance, we'd like to know how you feel about improving your system of reporting the news, political and otherwise. Do you think a newspaper publisher's acquaintance

with the Governor, or his acquaintance with the ethics of his profession, should get top priority?

Any old newspaper publisher can come out in favor of an anti-gambling crusade after having supported gambling by publishing racing sheets for profit, and any old newspaper publisher can come out for a new system of appointing judges after he has spent a lifetime in trying to select his own choices by bringing pressure on governors, whom he helped to elect by using his newspaper as a personal propaganda sheet.

We don't want any old newspaper publisher if we can help it. The honor is deserved only by those with the courage to speak their minds, practice what they preach, and bold enough to serve progress by urging reform in their own circles as well as in other circles.

Improving our system of newspaper publishing isn't calculated to be a safe topic for a candidate to discuss. He who urges change is bound to trample toes. Better do this, however, and get defeated, than to be elected via the rear door opened to you by a newspaper publisher who is willing to distort the facts so that he can "use" you after you are elected.

We think the stature of the Guy Gannett Publishing Company can be reinforced, its integrity guaranteed for years to come, by a simple, sensible shift in its top brass.

"The press is good or evil according to the character of those who direct it."

Key office in the shift is the presidency, a position, so far as we know, at the moment unsought by anyone. Of the many gubernatorial appointments, the most vital is the selection of judges to preside over the high courts. To those rostrums of justice the public look for fair and just hearings of their troubles. Another and equally vital position is that of newspaper publisher. To this rostrum of justice the public also look for fair and just treatment in the reporting of news. The decisions of both judges and newspaper publishers, both cornerstones of democracy, greatly influence the ethical behavior of citizens within the democracy.

When a newspaper publisher waivers in his adherence to honesty,

when a mediocrity in this field dons the black robe of high influence, the entire state suffers. Laymen react as pupils do when teacher makes a mistake on the blackboard. They lose confidence. They lose respect.

The best defense against bad newspaper publishing would be a law, consistent with constitutional guarantees of freedom of the press, which would penalize newspaper publishers who selfishly and intentionally distort and suppress news. Although it seems elementary to suggest that our newspaper publishers have a combination of judicial temperament, knowledge of newspaper ethics, and integrity, this is not always the case.

It is not always the case in Maine, where political and personal factions guide the destiny of the Guy Gannett Publishing Company. Customarily a man doesn't ascend to the responsibility of being a newspaper publisher with a record of once having completely violated a public trust. No able newspaper publishers have ever come through this door, and it is anything but a guarantee of excellence.

Politics can't be quashed completely. We wouldn't want it that way. What we do want, what we can have if enough people are interested, is a reduction of political and unethical newspaper influence to a point where it won't injure the quality of justice. This goal could be reached by a panel of outstanding citizens whose job it would be to discover and make public, violations by newspaper publishers of the common ordinary rules of decency and ethics applicable to that profession.

The Maine Bar Association has not addressed itself to this problem. It does not plan a study and report sometime prior to the next session of the Legislature. Members of the bar, as well as the voters, would be interested in your opinions on this subject, Mr. Cross, Mr. Hussey, Mr. Bishop and Mr. Boyker.

Do you think the present system employed by the Guy Gannett Publishing Company in distorting and suppressing news, political and otherwise, could be streamlined for better service?

Or are you satisfied with the status quo?

A change in your system will inject new blood into the over-all picture of newspaper publishing in this state, make for wiser voting and contribute to better justice for Maine.

Gentlemen, those words which I have read are practically verbatim the words of the publishing company used when it printed the editorial asking the four candidates to stand up and be counted. Now, I submit to you that the title of this

pamphlet is the quintessence and epitomy of arrogance, "If We Were Governor." I close by saying again, God Forbid!

The PRESIDENT: The Senate is proceeding under Orders of the Day.

On motion by Mr. Jamieson of Aroostook

Adjourned until tomorrow morning at ten o'clock.