

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-ninth Legislature

OF THE

State of Maine

SPECIAL SESSION

1940

KENNEBEC JOURNAL PRINT SHOP
AUGUSTA, MAINE

SENATE

Tuesday, May 28, 1940.

The Senate was called to order by the President.

Prayer by the Reverend H. E. P. Pressey of Augusta.

Journal of Friday, May 24th, 1940, read and approved.

Communications**STATE OF MAINE**

House of Representatives

Office of Clerk

Augusta

May 24, 1940

Honorable Royden V. Brown,
Secretary of the Senate
of the 89th Legislature.

Sir:—

Pursuant to Rule 3 of the Joint Rules of this Legislature, this is to advise that the following members have been appointed by the Speaker to fill vacancies caused by death or resignation:

On the Committee on Appropriations and Financial Affairs—Messrs. Arzonico of Yarmouth and Hawes of Vassalboro.

On the Committee on Judiciary—Messrs. Batchelder of Parsonsfield and Grua of Livermore Falls.

On the Committee on Legal Affairs—Mr. Cowan of Portland.

On the Committee on Motor Vehicles—Mr. Mills of Farmington.

Respectfully,

HARVEY R. PEASE

Clerk of the House.

Which was read and ordered placed on file.

STATE OF MAINE

House of Representatives

Office of Clerk

Augusta

May 24, 1940

Honorable Royden V. Brown,
Secretary of the Senate
of the 89th Legislature.

Sir:

This is to inform you that the following two bills:

Bill "An Act to Permit Development of Mines in Maine," (S. P. 723) (L. D. 1224)

"Resolve Providing for a Recess Committee to Study Certain Industrial Accounting with Respect to Unemployment Compensation, Social Security and Income Tax Laws," (S. P. 722) (L. D. 1223)

Which were received by unanimous consent in the Senate and referred, failed to receive unanimous consent for their reception in the House as required by the cloture order.

Respectfully,

HARVEY R. PEASE

Clerk of the House.

Which was read and ordered placed on file.

STATE OF MAINE**EXECUTIVE DEPARTMENT**

Augusta

May 24, 1940.

To the President and Members of the Senate:

To the President and Members of the House:

I herewith transmit a memorandum delivered to me Friday afternoon, May twenty-fourth, from the State Budget Officer, in reference to our Federal Aid Highway program.

If, in the judgment of the Legislature, it seems expedient to take maximum advantage of Federal Aid provisions, it would appear advisable to give consideration at this session to the information contained in the enclosed memorandum.

Respectfully submitted,

LEWIS O. BARROWS,

Governor.

(S. P. 728)

Which communication and accompanying memorandum were read.

Mr. SPEAR of Cumberland: Mr. President, I move that this matter be laid upon the table as the Senator who is Chairman of the Ways and Bridges Committee is absent.

The motion prevailed and the communication and accompanying memorandum were laid upon the table pending consideration.

The following bills were received and on recommendation of the Committee on Reference of Bills were referred to the Committee on Military Affairs:

Mr. Marden of Kennebec presented

Bill "An Act Providing for Improvement in Military Preparedness." (S. P. 730)

Bill "An Act Providing for an

Air Unit in the National Guard."
(S. P. 731)

500 copies of each ordered printed.
Sent down for concurrence.

From the House, out of order and
under suspension of the rules:

Joint Order

ORDERED, the Senate concurring, that there be printed 500 copies of the proceedings of the Legal Affairs Committee held in the Senate Chamber this afternoon, pursuant to Joint Order (S. P. 713). (H. P. 2260)

Which was read and passed in concurrence.

Order

On motion by Mr. Tompkins of Aroostook, it was

ORDERED, the House concurring, that the Committee created by House Paper 2254, Joint Order Relative to Committee for the Purpose of Making a Study of the Financial and Functional Activities of State Departments, be and hereby is authorized to examine witnesses under oath or affirmation and any member of the Committee may administer the necessary oaths.

Sent down for concurrence.

On motion by Mr. Spear of Cumberland

Recessed for fifteen minutes.

After Recess

The Senate was called to order by the President.

From the House, out of order and under suspension of the rules:

Joint Order

ORDERED, the Senate concurring, that the Adjutant General be directed to investigate and report forthwith on the possibility and advisability of establishing in Maine, a State or home guard or such other means of military defense as he may recommend. (H. P. 2261)

Which was read and passed in concurrence.

From the House, out of order and under suspension of the rules:

Memorial

Memorial to the Honorable Senate and House of Representatives of the United States of America assembled, petitioning for the Adoption of an adequate agricultural and tariff policy in furtherance of the welfare of the State of Maine.

Which was read and adopted in concurrence.

Committee Reports

Mr. Thatcher from the Committee on Appropriations and Financial Affairs on bill "An Act Providing that Purchases for the Highway Commission shall be made by the State Purchasing Agent," (S. P. 709) (L. D. 1215) reported that the same be re-referred to the Joint Committee created to study the Functional Activities of State Departments.

Which report was read and accepted.

Sent down for concurrence.

Mr. Chase from the same Committee on "Resolve in Favor of Bates College," (S. P. 727) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in Favor of the City of Lewiston," (S. P. 726) reported that the same ought to pass.

Which reports were severally read and accepted, and the resolves laid upon the table for printing under the joint rules.

Mr. Wentworth from the same Committee on bill "An Act Relating to the Auditing of the Accounts of the State Liquor Commission," (S. P. 708) (L. D. 1214) reported that the same ought to pass.

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

The PRESIDENT: The Chair is happy to invite the Senator from Cumberland, Senator Spear to take the Chair, and will ask the Sergeant-at-Arms to escort the Senator to the rostrum.

Thereupon amidst the applause of the Senate, the Senator from Cumberland, Senator Spear, was escorted to the rostrum, the President retiring.

Mr. KENNEDY of Hancock: Mr. President, last Friday afternoon this Senate granted unanimous consent to the introduction of a measure designed to amend the mining laws of this state, to promote mining operations under tide-water and Great Pond. This measure seemed imperative as it may be that the minerals in this state and in the properties under consideration may be needed as a means of national defense. This measure, in the House, has been carried over to the Ninetieth Legislature. In view of the urgency of the measure and also in view of the fact that certain members of the House were unaware of its importance at the time, unanimous consent was withheld in that body. I respectfully submit the bill in new draft, and, out of order and under suspension of the rules, ask unanimous consent to present the same.

Thereupon, the bill was received by unanimous consent and under suspension of the rules was referred to the Committee on Mines and Mining.

Sent down for concurrence.

Mr. SEWALL of Sagadahoc: Mr. President, I rise to a point of personal privilege.

The PRESIDENT pro tem: The Senator may state his point.

Mr. SEWALL: The point of privilege, Mr. President, is that a public attack has been made upon the integrity of this Body and its leaders.

The PRESIDENT pro tem: The Senator from Sagadahoc, Senator Sewall, has stated the point of personal privilege and may proceed.

Mr. SEWALL of Sagadahoc: It is with deep regret that I feel compelled to arise to this point of personal privilege. I had hoped that in this crisis of State affairs, partisan politics would not constitute an obstacle to the solution of our common problem,—rather that we could all work together toward the fulfillment of our duty.

Charges of a very serious nature, however, have been made against the integrity of the legislature and its leaders, which cannot be overlooked.

Our job here, as I understand it, is to search out governmental weaknesses, infidelities and irregularities

wherever they may be found to exist, to restore financial stability and order, and exert in any way under our broad powers, every bit of our influence to build a better government.

Only in this way can we earn and justify a renewed confidence of the people in their government and ours.

We are now confronted with a new situation. Mr. Fulton J. Redman in a Sunday newspaper of May 26th has charged "The Maine Legislative leaders, who dominate the majority party have been working on day and night shifts at Augusta to apply the white-wash brush to our State affairs."

This column contains a series of half truths, untruths and misinterpretations of fact. He further calls attention to and criticizes a ruling which I made as Presiding Officer of a Joint Convention held last Friday. Under the wording of the call for that Convention and in accordance with parliamentary law, I am sincerely convinced that no other ruling could have been made. This is clearly borne out by the fact that the ruling was not contested even by the member who was ruled against.

I therefore feel that these charges should be formally entered in the records of this body and answered so that the truth may be known and the public statement reflecting upon the integrity of this legislature be promptly repudiated.

At the session of this legislature on May 24th, a committee was created, broadly empowered to investigate every phase of State Government with a view of uncovering any irregularities. This committee consists of eleven members, three of whom are of the minority party.

If Mr. Redman has any knowledge of any facts which he feels should be brought to light, then let him immediately appear before this committee and bring out these facts. This is not only his right, but his duty.

In fact, if Mr. Redman does not appear voluntarily, I urge with all the sincerity at my command that this committee summon him before them to accomplish this purpose.

Meanwhile, irrespective of party politics let us proceed in an orderly and forthright manner to accomplish the right solution to our present problem.

Orders of the Day

On motion by Mr. Tompkins of Aroostook, the Senate voted to take from the table Resolve Providing for a Research Committee to Study the Administration of State Affairs (H. P. 2259) (L. D. 1226) tabled by that Senator on May 24 pending reference in concurrence; and on further motion by the same Senator the resolve was referred to the Com-

mittee on Legal Affairs in concurrence.

The PRESIDENT pro tem: Is there any further business to come before the Senate?

On motion by Mr. Sewall of Sagadahoc,

Adjourned until tomorrow morning at nine o'clock Eastern Standard Time.